United Nations A/C.3/64/L.16

General Assembly

Distr.: Limited
14 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

France and Netherlands: draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007 and 63/155 of 18 December 2008, and all its previous resolutions on the elimination of violence against women,

Reaffirming the strong support expressed in its resolution 63/311 of 14 September 2009 for the consolidation of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the United Nations International Research and Training Institute for the Advancement of Women into a composite entity, taking into account the existing mandates, to be led by an Under-Secretary-General,

Recalling Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, and welcoming the adoption of Security Council resolutions 1882 (2009) of 4 August 2009 on children and armed conflict and 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security,

Welcoming Human Rights Council resolution 11/2 of 17 June 2009,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.

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Reaffirming also the Declaration on the Elimination of Violence against Women,[2] the Beijing Declaration and Platform for Action,[3] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[4] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[5]

Reaffirming further the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[6] and at the 2005 World Summit,[7]

Recognizing that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls, to eliminate impunity and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Expressing its appreciation for the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies, including by the Special Rapporteur on violence against women, its causes and consequences, to eliminate all forms of violence against women, and welcoming the recent appointment of the Special Representative on Violence against Children,

1. *Welcomes* the report of the Secretary-General[8] on intensification of efforts to eliminate all forms of violence against women, pursuant to its resolution 63/155;

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[2] See resolution 48/104.

[3] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[4] Resolution S 23/2, annex, and resolution S 23/3, annex.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[6] See resolution 55/2.

[7] See resolution 60/1.

[8] A/64/151.

2. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, and taking into account national priorities, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices;

3. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality, and welcomes its ongoing work to compose a manual on joint programming with a view to increasing effective support of national efforts to eliminate violence against women;

4. *Expresses its appreciation* for the progress made in the Secretary-General's campaign for 2008-2015 "UNiTE to End Violence against Women", through the development of a framework for action outlining five key outcomes to be achieved by 2015, supported, inter alia, by the United Nations Development Fund for Women social mobilization and advocacy platform "Say NO to violence against women", the United Nations inter-agency initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict" and the regional components of the campaign, stresses the need to accelerate implementation of concrete follow-up activities by the United Nations system to end violence against women, in close consultation with existing system-wide activities on violence against women, requests the Secretary-General to report on the basis of the results of his campaign, and encourages all Member States to work towards the achievement of the five key outcomes by 2015, as outlined in the framework for action;

5. *Calls upon* the Inter-Agency Programme Appraisal Committee, in consultation with the Inter-Agency Network on Women and Gender Equality, to include in its next strategy for the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, ways and means to further enhance its effectiveness as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls and to give due consideration, inter alia, to the findings and recommendations of the external evaluation of the Trust Fund once finalized;

6. *Welcomes* the fact that United Nations country teams were invited to apply for funding through the Trust Fund;

7. *Expresses its appreciation* for the contributions by States, the private sector and other donors to the Trust Fund, while noting with concern the serious decrease in available funding in 2009, and urges States and other stakeholders, where possible, to significantly increase their voluntary contributions to the Trust Fund in order to meet the annual target of 100 million dollars by 2015 as set by the Trust Fund;

8. *Stresses* that within the United Nations system adequate resources should be assigned to those bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to eliminate violence against women and girls, calls upon the United Nations system to make the necessary capacity and resources available in order to allow the Task Force on Violence against Women to undertake a resource flow analysis to assess the resources available for this work and elaborate recommendations for their most effective and efficient use, and calls upon the United Nations system to respond swiftly to those recommendations once issued;

9. *Welcomes* the establishment of the Secretary-General's database on violence against women,[9] and expresses its appreciation to all the States that have provided the database with information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and supporting victims of such violence;

10. *Urges* all States to regularly provide the Secretary-General's database on violence against women with updated information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and supporting victims of such violence, and calls upon all relevant entities of the United Nations system to continue to support States, at their request, in the compilation and regular updating of pertinent information and to raise awareness of the database among all relevant stakeholders, including civil society;

11. *Welcomes* the adoption of an interim set of indicators to measure violence against women by the Statistical Commission during its fortieth session,[10] as well as the ongoing work of the Commission on this topic;

12. *Requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-fourth session and thereafter to the General Assembly at its sixty-fifth session with information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolution 63/155 and the present resolution, including on the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report.

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[9] See www.un.org/esa/vawdatabase.

[10] See *Official Records of the Economic and Social Council, 2009, Supplement No. 4* (E/2009/24), chap. I, sect. B, decision 40/110.

United Nations A/C.3/64/L.16/Rev.1

General Assembly

Distr.: Limited
27 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Albania, Angola, Australia, Azerbaijan, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, Chile, Congo, Côte d'Ivoire, Croatia, Czech Republic, Denmark, El Salvador, Finland, France, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Latvia, Liberia, Lithuania, Luxembourg, Malawi, Malta, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Romania, Serbia, Sierra Leone, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Togo, Turkey and the United Kingdom of Great Britain and Northern Ireland: draft resolution

Intensification of efforts to eliminate all forms of violence against women

The General Assembly,

Recalling its resolutions 61/143 of 19 December 2006, 62/133 of 18 December 2007 and 63/155 of 18 December 2008, and all its previous resolutions on the elimination of violence against women,

Reaffirming the strong support expressed in its resolution 63/311 of 14 September 2009 for the consolidation of the Office of the Special Adviser on Gender Issues and Advancement of Women, the Division for the Advancement of Women, the United Nations Development Fund for Women and the United Nations International Research and Training Institute for the Advancement of Women into a composite entity, taking into account the existing mandates, to be led by an Under-Secretary-General,

Reaffirming also the obligation of all States to promote and protect all human rights and fundamental freedoms, and reaffirming that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[1] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of all forms of violence against women,

[1] United Nations, *Treaty Series*, vol. 1249, No. 20378.

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Reaffirming further the Declaration on the Elimination of Violence against Women,[2] the Beijing Declaration and Platform for Action,[3] the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[4] and the declaration adopted at the forty-ninth session of the Commission on the Status of Women,[5]

Reaffirming the international commitments in the field of social development and to gender equality and the advancement of women made at the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development and the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as those made in the United Nations Millennium Declaration[6] and at the 2005 World Summit,[7]

Recalling Security Council resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, and welcoming the adoption of Security Council resolutions 1882 (2009) of 4 August 2009 on children and armed conflict and 1888 (2009) of 30 September 2009 and 1889 (2009) of 5 October 2009 on women and peace and security,

Welcoming Human Rights Council resolution 11/2 of 17 June 2009,

Recognizing that women's poverty and lack of empowerment, as well as their marginalization resulting from their exclusion from social policies and from the benefits of sustainable development, can place them at increased risk of violence, and that violence against women impedes the social and economic development of communities and States, as well as the achievement of the internationally agreed development goals, including the Millennium Development Goals,

Deeply concerned about the pervasiveness of violence against women and girls in all its different forms and manifestations worldwide, and reiterating the need to intensify efforts to prevent and eliminate all forms of violence against women and girls throughout the world,

Stressing that States have the obligation to promote and protect all human rights and fundamental freedoms for all, including women and girls, and must exercise due diligence to prevent, investigate and punish the perpetrators of violence against women and girls, to eliminate impunity and to provide protection to the victims, and that failure to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms,

Expressing its appreciation for the high number of activities undertaken by the United Nations bodies, entities, funds and programmes and the specialized agencies, including by the Special Rapporteur on violence against women, its causes and

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[2] See resolution 48/104.

[3] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[4] Resolution S-23/2, annex, and resolution S-23/3, annex.

[5] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[6] See resolution 55/2.

[7] See resolution 60/1.

consequences, to eliminate all forms of violence against women, and welcoming the recent appointment of the Special Representative on Violence against Children,

1. *Takes note with appreciation* of the report of the Secretary-General[8] on intensification of efforts to eliminate all forms of violence against women, pursuant to its resolution 63/155;

2. *Calls upon* the international community, including the United Nations system and, as appropriate, regional and subregional organizations, to support national efforts to promote the empowerment of women and gender equality in order to enhance national efforts to eliminate violence against women and girls, including, upon request, in the development and implementation of national action plans on the elimination of violence against women and girls, through, inter alia, and taking into account national priorities, official development assistance and other appropriate assistance, such as facilitating the sharing of guidelines, methodologies and best practices;

3. *Calls upon* all United Nations bodies, entities, funds and programmes and the specialized agencies and invites the Bretton Woods institutions to intensify their efforts at all levels to eliminate all forms of violence against women and girls and to better coordinate their work, inter alia, through the Task Force on Violence against Women of the Inter-Agency Network on Women and Gender Equality, and looks forward to the results of the ongoing work of the Task Force to compose a manual on joint programming with a view to increasing effective support of national efforts to eliminate all forms of violence against women;

4. *Expresses its appreciation* for the progress made in the Secretary-General's campaign for 2008-2015 "UNiTE to End Violence against Women", through the development of a framework for action outlining five key outcomes to be achieved by 2015, supported, inter alia, by the United Nations Development Fund for Women social mobilization and advocacy platform "Say NO to violence against women", the United Nations inter-agency initiative "Stop Rape Now: United Nations Action against Sexual Violence in Conflict" and the regional components of the campaign, stresses the need to accelerate implementation of concrete follow-up activities by the United Nations system to end all forms of violence against women, in close consultation with existing system-wide activities on violence against women, requests the Secretary-General to report on the basis of the results of his campaign, and encourages Member States to join forces in addressing the global pandemic of all forms of violence against women;

5. *Calls upon* the Inter-Agency Programme Appraisal Committee, in consultation with the Inter-Agency Network on Women and Gender Equality, to include in its next strategy for the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, ways and means to further enhance its effectiveness as a system-wide funding mechanism for preventing and redressing all forms of violence against women and girls and to give due consideration, inter alia, to the findings and recommendations of the external evaluation of the Trust Fund once finalized;

6. *Notes* with concern the growing gap between available funding in the United Nations Trust Fund in Support of Actions to Eliminate Violence against

[8] A/64/151.

Women and the funds required to meet the increasing demand, and urges States and other stakeholders, where possible, to significantly increase their voluntary contributions to the Trust Fund in order to meet the annual target of 100 million dollars by 2015 as set by the Secretary-General's campaign "UniTE to End Violence against Women", while expressing its appreciation for the contributions already made by States, the private sector and other donors to the Trust Fund;

7. *Stresses* that within the United Nations system adequate resources should be assigned to those bodies, specialized agencies, funds and programmes responsible for the promotion of gender equality and women's rights and to efforts throughout the United Nations system to eliminate violence against women and girls, calls upon the United Nations system to make the necessary support and resources available in order to allow the Task Force on Violence against Women to undertake a resource flow analysis to assess the resources available for this work and elaborate recommendations for their most effective and efficient use, and calls upon the United Nations system to respond swiftly to those recommendations once issued;

8. *Welcomes* the establishment of the Secretary-General's database on violence against women,[9] expresses its appreciation to all the States that have provided the database with information regarding, inter alia, their national policies and legal frameworks aimed at eliminating violence against women and supporting victims of such violence, strongly encourages all States to regularly provide the Secretary-General's database on violence against women with updated information, and calls upon all relevant entities of the United Nations system to continue to support States, at their request, in the compilation and regular updating of pertinent information and to raise awareness of the database among all relevant stakeholders, including civil society;

9. *Also welcomes* the adoption of an interim set of indicators to measure violence against women by the Statistical Commission during its fortieth session,[10] and looks forward to the results of the ongoing work of the Commission on this topic;

10. *Requests* the Secretary-General to present an oral report to the Commission on the Status of Women at its fifty-fourth session and thereafter to the General Assembly at its sixty-fifth session with information provided by the United Nations bodies, funds and programmes and the specialized agencies on recent follow-up activities to implement resolution 63/155 and the present resolution, including on the United Nations Trust Fund in Support of Actions to Eliminate Violence against Women, and urges United Nations bodies, entities, funds and programmes and the specialized agencies to contribute promptly to that report.

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[9] See www.un.org/esa/vawdatabase.

[10] See *Official Records of the Economic and Social Council, 2009, Supplement No. 4* (E/2009/24), chap. I, sect. B, decision 40/110.

United Nations A/C.3/64/L.17

General Assembly

Distr.: Limited
14 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women: advancement of women

Andorra, Argentina, Austria, Belgium, Chile, Denmark, Ecuador, Finland, France, Germany, Guatemala, Iceland, Latvia, Lithuania, Luxembourg, New Zealand, Norway, Philippines, Portugal, Slovakia, Sweden, Turkey and United Kingdom of Great Britain and Northern Ireland: draft resolution

Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Recalling its resolution 62/218 of 22 December 2007 and its previous resolutions on the elimination of discrimination against women,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Reiterating the need to intensify efforts to eliminate all forms of discrimination against women throughout the world,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] in which the Conference reaffirmed that the human rights of women and the girl child were an inalienable, integral and indivisible part of universal human rights,

Acknowledging the need for a comprehensive and integrated approach to the promotion and protection of the human rights of women, which includes the integration of the human rights of women into the mainstream of United Nations activities system-wide,

[1] A/CONF.157/24 (Part I), chap. III.

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Reaffirming the Beijing Declaration and Platform for Action[2] and the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[3] in particular those paragraphs concerning the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Optional Protocol thereto,[5]

Welcoming the declaration of the Commission on the Status of Women on the occasion of the tenth anniversary of the Fourth World Conference on Women,[6] in which the Commission recognized that the implementation of the Beijing Declaration and Platform for Action and the fulfilment of the obligations under the Convention are mutually reinforcing in achieving gender equality and the empowerment of women,

Welcoming the decision of the Commission on the Status of Women[7] to hold a commemorative meeting to mark the fifteenth anniversary of the adoption of the Beijing Declaration and Platform for Action in conjunction with the fifty-fourth session of the Commission on the Status of Women, to be held from 1 to 12 March 2010,

Recalling that, in the United Nations Millennium Declaration,[8] Heads of State and Government resolved to implement the Convention, and recalling also that the 2005 World Summit Outcome[9] reaffirmed that gender equality and the promotion and protection of the full enjoyment of all human rights and fundamental freedoms for all are essential to advance development and peace and security,

Recognizing that the equal enjoyment by women of all human rights and fundamental freedoms will promote the realization of the rights of the child, bearing in mind the special needs of girls, and acknowledging the mutual reinforcement of the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child[10] and the Optional Protocols thereto,[11]

Noting that 18 December 2009 marks the thirtieth anniversary of the adoption by the General Assembly of the Convention on the Elimination of All Forms of Discrimination against Women,

Noting also that 6 October 2009 marked the tenth anniversary of the adoption by the General Assembly of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women,

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[2] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[3] Resolution S-23/2, annex, and resolution S-23/3, annex.

[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[5] Ibid., vol. 2131, No. 20378.

[6] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[7] See *Official Records of the Economic and Social Council, 2009, Supplement No. 7*.

[8] See resolution 55/2.

[9] See resolution 60/1.

[10] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[11] Ibid., vols. 2171 and 2173, No. 27531.

Bearing in mind the recommendation of the Committee on the Elimination of Discrimination against Women that national reports should contain information on the implementation of the Beijing Platform for Action, in accordance with paragraph 323 of the Platform,

Having considered the reports of the Committee on its fortieth,[12] forty-first,[12] forty-second[13] and forty-third[13] sessions,

Expressing deep concern at the great number of reports that are still overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention,

1. *Welcomes* the report of the Secretary-General on the status of the Convention on the Elimination of All Forms of Discrimination against Women;[14]

2. *Also welcomes* the growing number of States parties to the Convention,[4] which now stands at one hundred and eighty-six, while expressing disappointment that universal ratification of the Convention was not achieved by 2000, and urges all States that have not yet ratified or acceded to the Convention to do so;

3. *Further welcomes* the growing number of States parties to the Optional Protocol to the Convention,[5] which now stands at ninety-eight, and urges other States parties to the Convention to consider signing and ratifying or acceding to the Optional Protocol;

4. *Urges* States parties to comply fully with their obligations under the Convention and the Optional Protocol thereto and to take into consideration the concluding observations as well as the general recommendations of the Committee on the Elimination of Discrimination against Women, including the most recent one, general recommendation No. 26 on women migrant workers;[15]

5. *Encourages* all relevant entities of the United Nations system, within their mandates, as well as Governments and intergovernmental and non-governmental organizations, in particular women's organizations, as appropriate, to strengthen assistance to States parties, upon their request, in implementing the Convention;

6. *Notes* that some States parties have modified their reservations, expresses satisfaction that some reservations have been withdrawn, and urges States parties to limit the extent of any reservations that they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention;

7. *Welcomes* the adoption by the Committee of treaty-specific reporting guidelines,[16] which must be applied in conjunction with the harmonized reporting guidelines on a common core document;[17]

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[12] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 38* (A/63/38).

[13] Ibid., *Sixty-fourth Session, Supplement No. 38* (A/64/38).

[14] A/62/290.

[15] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 38* (A/64/38), part one, annex I.

[16] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 38* (A/63/38), part one, annex I.

[17] See HRI/GEN/2/Rev.5.

8. *Recalls* the great number of overdue reports, in particular initial reports, and urges States parties to the Convention to make every possible effort to submit their reports on the implementation of the Convention in a timely manner, in accordance with article 18 thereof;

9. *Also recalls* its resolution 50/202 of 22 December 1995, in which it took note with approval of the amendment to article 20, paragraph 1, of the Convention, which has yet to enter into force, and urges States parties to the Convention that have not yet done so to accept the amendment;

10. *Strongly urges* States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible and the amendment can enter into force;

11. *Expresses its appreciation* for the efforts made by the Committee to improve the efficiency of its working methods, and welcomes the decision by the Committee to introduce a procedure to enhance the follow-up of the implementation of its recommendations;

12. *Welcomes* the gradual alleviation of the backlog of reports awaiting consideration by the Committee;

13. *Encourages* the Secretariat to extend further technical assistance to States parties, upon their request, to strengthen their capacity in the preparation of reports, in particular initial reports, and invites Governments to contribute to those efforts;

14. *Invites* States parties to make use of the technical assistance provided by the Secretariat to facilitate the preparation of reports, in particular initial reports;

15. *Encourages* the continued participation of members of the Committee in inter-committee meetings and meetings of persons chairing the human rights treaty bodies, including those on methods of work relating to the State reporting system;

16. *Encourages* the Committee, within its mandate, to continue to contribute to the efforts to strengthen cooperation and coordination between the treaty bodies, and welcomes as a positive example the establishment of a joint working group of the Committee and the Committee on the Rights of the Child, and in this regard invites the Committee to consider other informal cooperative initiatives;

17. *Requests* the Secretary-General, in accordance with General Assembly resolution 54/4 of 6 October 1999, to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee within its full mandate, including as set out in the Optional Protocol to the Convention;

18. *Urges* Governments, organizations and bodies of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Convention and the Optional Protocol thereto;

19. *Encourages* States parties to disseminate the concluding comments adopted in relation to the consideration of their reports, as well as the general recommendations of the Committee;

20. *Encourages* States parties to the Convention and all relevant entities of the United Nations system to continue to build women's knowledge and

understanding of and capacity to utilize human rights instruments, in particular the Convention and the Optional Protocol thereto;

21. *Urges* the specialized agencies, at the invitation of the Committee, to submit reports on the implementation of the Convention in areas falling within the scope of their activities;

22. *Welcomes* the contribution of non-governmental organizations and national human rights institutions to the work of the Committee;

23. *Invites* the Chairperson of the Committee on the Elimination of Discrimination against Women to address and to engage in an interactive dialogue with the General Assembly at its sixty-fifth and sixty-sixth sessions under the item on the advancement of women;

24. *Requests* the Secretary-General to submit to the General Assembly at its sixty-sixth session a report on the status of the Convention on the Elimination of All Forms of Discrimination against Women and the implementation of the present resolution.

United Nations A/C.3/64/L.18

General Assembly

Distr.: Limited
14 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Indonesia and Philippines: draft resolution

Violence against migrant women workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the provisions concerning women migrant workers contained in the outcome documents of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development[5] and their reviews,

Noting with appreciation the various activities initiated by entities of the United Nations system, such as the Regional Programme on Empowering Women Migrant Workers in Asia of the United Nations Development Fund for Women, the high-level panel discussion on the gender dimensions of international migration held by the Commission on the Status of Women at its fiftieth session, and the discussions held by the Commission at its fifty-third session, during which it recognized the particular situation of women migrant domestic workers, including girl migrants, and noting the contribution of the International Labour Organization through the development of a Multilateral Framework on Labour Migration, as well

[1] See resolution 48/104.

[2] A/CONF.157/24 (Part I), chap. III.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

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as other activities through which the plight of women migrant workers continues to be assessed and alleviated,

Recalling the discussions during the High-level Dialogue on International Migration and Development, held on 14 and 15 September 2006, which recognized, inter alia, the need for special protection for migrant women,

Recognizing the increasing participation of women in international migration, driven in large part by socio-economic factors, and that this feminization of migration requires greater gender sensitivity in all policies and efforts related to the subject of international migration,

Stressing the shared responsibility of all stakeholders, in particular countries of origin, transit and destination, relevant regional and international organizations, the private sector and civil society, in promoting an environment that prevents and addresses violence against women migrant workers, and, in this regard, recognizing the importance of joint and collaborative approaches and strategies at the bilateral, regional and international levels,

Acknowledging the contribution that women migrant workers make to development through the economic benefits that accrue to both the country of origin and the country of destination,

Recognizing the particular vulnerability of women and their children at all stages of the migration process, extending from the moment of deciding to migrate, and including transit, engagement in formal and informal employment, and integration into the host society, as well as during their return to their countries of origin,

Expressing deep concern at the continuing reports of grave abuses and violence committed against migrant women and girls, including gender-based violence, in particular sexual violence, trafficking, domestic and family violence, racist and xenophobic acts, abusive labour practices and exploitative conditions of work,

Recognizing that the intersection of, inter alia, gender, age, class and ethnic discrimination and stereotypes can compound the discrimination faced by women migrant workers,

Reaffirming the commitment to protect and promote the human rights of all women, including, without discrimination, indigenous women who migrate for work, and in this regard noting the attention paid in the United Nations Declaration on the Rights of Indigenous Peoples[6] to the elimination of all forms of violence and discrimination against indigenous women, as appropriate,

Concerned that many migrant women who are employed in the informal economy and in less skilled work are especially vulnerable to abuse and exploitation, and, in this regard, observing with concern that the phenomenon of de-skilling of women in overseas labour may increase their exposure to exploitation and abuse,

Emphasizing the need for objective, comprehensive and broad-based information, including sex- and age-disaggregated data and statistics, and gender-sensitive indicators for research and analysis, and a wide exchange of experience

[6] Resolution 61/295, annex.

and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, among other things, the Internet, and that those women migrant workers are more vulnerable to abuse and exploitation,

Recognizing the importance of exploring the link between migration and trafficking in order to further efforts towards protecting women migrant workers from violence, discrimination, exploitation and abuse,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction, such as the establishment of protection mechanisms for migrant workers, facilitating their access to mechanisms for reporting complaints, or providing assistance during legal proceedings,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their human rights and welfare,

1. *Takes note with appreciation* of the report of the Secretary-General;[7]

2. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[8] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[9] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[10] as well as all human rights treaties that contribute to the protection of the rights of women migrant workers;

3. *Takes note with appreciation* of the report of the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences submitted to the Council at its eleventh session,[11] which raised the current issues of exploitation and violence that women migrants face in the context of the current global economic trends and crises;

4. *Encourages* Governments and all special rapporteurs on human rights whose mandates touch on the issues of violence against women migrant workers to work together to improve the collection of information on and analysis of the current challenges facing women migrant workers;

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[7] A/64/152.

[8] United Nations, *Treaty Series*, vol. 2220, No. 39481.

[9] Ibid., vol. 2237, No. 39574.

[10] Ibid., vol. 2241, No. 39574.

[11] A/HRC/11/16.

5. *Calls upon* all Governments to incorporate a human rights and gender perspective in legislation and policies on international migration and on labour and employment, consistent with international human rights standards, for the prevention and protection of migrant women from violence and discrimination, exploitation and abuse, and to take effective measures to ensure that such migration and labour policies do not reinforce discrimination and bias against women;

6. *Urges* Governments to support women migrant workers as key contributors to social and economic development by placing greater importance on the value and dignity of their labour, including the labour of domestic workers;

7. *Calls upon* Governments to adopt or strengthen measures to protect the human rights of women migrant workers, regardless of their immigration status, including in policies that regulate the recruitment and deployment of women migrant workers, and to consider expanding dialogue among States on devising innovative methods to promote legal channels of migration, inter alia, in order to deter illegal migration;

8. *Urges* Governments to enhance bilateral, regional, interregional and international cooperation to address violence against women migrant workers, fully respecting international law, including international human rights law, as well as to strengthen efforts in reducing the vulnerability of women migrant workers, including by fostering sustainable development alternatives to migration in countries of origin;

9. *Also urges* Governments to adopt or strengthen measures to promote and protect the human rights of migrant girls, including unaccompanied girls, regardless of their immigration status, to prevent their labour and economic exploitation, discrimination, sexual harassment, violence and sexual abuse in the workplace, including domestic work;

10. *Further urges* Governments, in cooperation with international organizations, civil society, including non-governmental organizations, and the private sector, to strengthen the focus on and funding support for the prevention of violence against women migrant workers, in particular by promoting the access of women to meaningful and gender-sensitive information and education on, inter alia, the costs and benefits of migration, rights and benefits to which they are entitled in the countries of origin and employment, overall conditions in countries of employment and procedures for legal migration, as well as to ensure that laws and policies governing recruiters, employers and intermediaries, particularly in the fields of entertainment and domestic work, where there is a high incidence of exploitation and abuse, promote adherence to and respect for the human rights of migrant workers, particularly women;

11. *Requests* Governments to encourage banks and financial institutions to provide remittance channels that are safe, simple, accessible and affordable to decrease the risk of abuse and exploitation of women migrant workers in the management of their economic resources;

12. *Calls upon* Governments to recognize the right of women migrant workers, including those in irregular situations, to have access to emergency health services and to ensure that pregnancy and childbirth are not used as reasons to repatriate or deport women migrant workers;

13. *Also calls upon* Governments, in cooperation with international organizations, non-governmental organizations, the private sector and other stakeholders, to provide women migrant workers who are victims of violence with the full range of immediate assistance and protection, such as access to counselling, legal and consular assistance and temporary shelter, as well as mechanisms to allow the views and concerns of victims to be presented and considered at appropriate stages of proceedings, including other measures that will allow victims to be present during the judicial process, to avoid the forced return and deportation of victims and, to the extent possible, to establish reintegration and rehabilitation schemes for returning women migrant workers;

14. *Further calls upon* Governments, in particular those of the countries of origin and destination, to put in place penal and criminal sanctions to punish perpetrators and intermediaries of violence against women migrant workers, and redress and justice mechanisms that victims can access effectively, as well as to ensure that migrant women victims of violence do not suffer from re-victimization, including by authorities;

15. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of women migrant workers and to take action to prevent and punish any form of illegal deprivation of the liberty of women migrant workers by individuals or groups;

16. *Encourages* Governments to formulate and implement training programmes for their law enforcers, immigration officers and border officials, diplomatic and consular officials, prosecutors and service providers with a view to sensitizing those public-sector workers to the issue of violence against women migrant workers and imparting to them the necessary skills and attitude to ensure the delivery of proper, professional and gender-sensitive interventions;

17. *Invites* Governments, the United Nations system and other concerned intergovernmental and non-governmental organizations to cooperate towards a better understanding of the issues concerning women and international migration, and to improve the collection, dissemination and analysis of sex- and age-disaggregated data and information in order to assist in the formulation of migration and labour policies that are, inter alia, gender-sensitive and that protect human rights, as well as to aid in policy assessment;

18. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division of the Secretariat, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection and analysis methodologies that will generate comparable data and tracking and reporting systems on violence against women migrant workers;

19. *Welcomes* the adoption by the Committee on the Elimination of Discrimination against Women of general recommendation No. 26, on women migrant workers,[12] and calls upon States parties to the Convention on the

[12] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 38* (A/64/38), annex I.

Elimination of All Forms of Discrimination against Women to consider the recommendation;

20. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and the United Nations Office on Drugs and Crime, as well as the report of the Special Rapporteur mentioned in paragraph 3 above, and other relevant sources, such as the International Organization for Migration, including non-governmental organizations.

United Nations A/C.3/64/L.18/Rev.1

General Assembly

Distr.: Limited
11 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Belarus, Benin, Bolivia (Plurinational State of), Burundi, Chile, Côte d'Ivoire, Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Gambia, Guatemala, Guinea, Honduras, Indonesia, Namibia, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Senegal, Sri Lanka, Timor-Leste, Uganda, Zambia and Zimbabwe: revised draft resolution

Violence against migrant women workers

The General Assembly,

Recalling all of its previous resolutions on violence against women migrant workers and those adopted by the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, and the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the provisions concerning women migrant workers contained in the outcome documents of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development[5] and their reviews,

Noting with appreciation the various activities initiated by entities of the United Nations system, such as the Regional Programme on Empowering Women Migrant Workers in Asia of the United Nations Development Fund for Women, the high-level panel discussion on the gender dimensions of international migration held by the Commission on the Status of Women at its fiftieth session, the discussions

[1] See resolution 48/104.

[2] A/CONF.157/24 (Part I), chap. III.

[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

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held by the Commission at its fifty-third session, during which it recognized the particular situation of women migrant domestic workers of all ages, and the general discussion on migrant domestic workers held by the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families at its eleventh session, and noting the contribution of the International Labour Organization through the development of a Multilateral Framework on Labour Migration, as well as other activities through which the plight of women migrant workers continues to be assessed and alleviated,

Recalling the discussions during the High-level Dialogue on International Migration and Development, held on 14 and 15 September 2006, which recognized, inter alia, the need for special protection for migrant women,

Taking note with appreciation of the *Human Development Report 2009* of the United Nations Development Programme, entitled "Overcoming barriers: Human mobility and development",[6] which discussed, inter alia, the need to protect women migrant workers from abuse, exploitation and violence,

Noting the decision of the Governing Body of the International Labour Organization to discuss the issue of decent work for domestic workers at the ninety-ninth session of the International Labour Conference in June 2010,

Recognizing the increasing participation of women in international migration, driven in large part by socio-economic factors, and that this feminization of migration requires greater gender sensitivity in all policies and efforts related to the subject of international migration,

Stressing the shared responsibility of all stakeholders, in particular countries of origin, transit and destination, relevant regional and international organizations, the private sector and civil society, in promoting an environment that prevents and addresses violence against women migrant workers, and, in this regard, recognizing the importance of joint and collaborative approaches and strategies at the national, bilateral, regional and international levels,

Recognizing that women migrant workers are important contributors to social and economic development, and underlining the value and dignity of their labour, including the labour of domestic workers,

Acknowledging the contribution that women migrant workers make to development through the economic benefits that accrue to both the country of origin and the country of destination,

Recognizing the particular vulnerability of women and their children at all stages of the migration process, extending from the moment of deciding to migrate, and including transit, engagement in formal and informal employment, and integration into the host society, as well as during their return to their countries of origin,

Expressing deep concern at the continuing reports of grave abuses and violence committed against migrant women and girls, including gender-based violence, in particular sexual violence, trafficking, domestic and family violence, racist and xenophobic acts, abusive labour practices and exploitative conditions of work,

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[6] Available from http://hdr.undp.org.

Recognizing that the intersection of, inter alia, gender, age, class and ethnic discrimination and stereotypes can compound the discrimination faced by women migrant workers,

Reaffirming the commitment to protect and promote the human rights of all women, including, without discrimination, indigenous women who migrate for work, and in this regard noting the attention paid in the United Nations Declaration on the Rights of Indigenous Peoples[7] to the elimination of all forms of violence and discrimination against indigenous women, as appropriate,

Concerned that many migrant women who are employed in the informal economy and in less skilled work are especially vulnerable to abuse and exploitation, underlining in this regard the obligation of States to protect the human rights of migrants so as to prevent abuse and exploitation, and observing with concern that many women migrant workers take on jobs for which they may be overqualified and, at the same time, in which they may be more vulnerable because of poor pay and inadequate social protection,

Emphasizing the need for objective, comprehensive and broad-based information, including sex- and age-disaggregated data and statistics, and gender-sensitive indicators for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, among other things, the Internet, and that those women migrant workers are more vulnerable to abuse and exploitation,

Recognizing the importance of exploring the link between migration and trafficking in order to further efforts towards protecting women migrant workers from violence, discrimination, exploitation and abuse,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction, such as the establishment of protection mechanisms for migrant workers, facilitating their access to mechanisms for reporting complaints, or providing assistance during legal proceedings,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their human rights and welfare,

1. *Takes note with appreciation* of the report of the Secretary-General;[8]

2. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the

[7] Resolution 61/295, annex.

[8] A/64/152.

Rights of All Migrant Workers and Members of Their Families,[9] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[10] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[11] as well as all human rights treaties that contribute to the protection of the rights of women migrant workers;

3. *Takes note* of the report of the Special Rapporteur of the Human Rights Council on violence against women, its causes and consequences, entitled "Political economy of women's human rights", submitted to the Council at its eleventh session,[12] in particular her elaboration in this report of the current issues of exploitation and violence that women migrants face in the context of the current global economic trends and crises;

4. *Encourages* all United Nations special rapporteurs on human rights whose mandates touch on the issues of violence against women migrant workers to improve the collection of information on and analysis of the current challenges facing women migrant workers, and also encourages Governments to cooperate with the special rapporteurs in this regard;

5. *Calls upon* all Governments to incorporate a human rights and gender perspective in legislation and policies on international migration and on labour and employment, consistent with their obligations under agreed international human rights instruments, for the prevention and protection of migrant women from violence and discrimination, exploitation and abuse, and to take effective measures to ensure that such migration and labour policies do not reinforce discrimination and bias against women;

6. *Also calls upon* Governments to adopt or strengthen measures to protect the human rights of women migrant workers, regardless of their immigration status, including in policies that regulate the recruitment and deployment of women migrant workers, and to consider expanding dialogue among States on devising innovative methods to promote legal channels of migration, inter alia, in order to deter illegal migration;

7. *Urges* Governments to enhance bilateral, regional, interregional and international cooperation to address violence against women migrant workers, fully respecting international law, including international human rights law, as well as to strengthen efforts in reducing the vulnerability of women migrant workers, including by fostering sustainable development alternatives to migration in countries of origin;

8. *Also urges* Governments to take into account the best interests of the child, adopting or strengthening measures to promote and protect the human rights of migrant girls, including unaccompanied girls, regardless of their immigration status, to prevent their labour and economic exploitation, discrimination, sexual harassment, violence and sexual abuse in the workplace, including domestic work;

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[9] United Nations, *Treaty Series*, vol. 2220, No. 39481.

[10] Ibid., vol. 2237, No. 39574.

[11] Ibid., vol. 2241, No. 39574.

[12] A/HRC/11/6.

9. *Further urges* Governments, in cooperation with international organizations, civil society, including non-governmental organizations, and the private sector, to strengthen the focus on and funding support for the prevention of violence against women migrant workers, in particular by promoting the access of women to meaningful and gender-sensitive information and education on, inter alia, the costs and benefits of migration, rights and benefits to which they are entitled in the countries of origin and employment, overall conditions in countries of employment and procedures for legal migration, as well as to ensure that laws and policies governing recruiters, employers and intermediaries promote adherence to and respect for the human rights of migrant workers, particularly women;

10. *Encourages* all States to remove obstacles that may prevent the transparent, safe, unrestricted and expeditious transfer of remittances of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede women migrant workers' access to and management of their economic resources;

11. *Calls upon* Governments to recognize the right of women migrant workers, regardless of immigration status, to have access to emergency health care and, in this regard, to ensure that women migrant workers are not discriminated against on the grounds of pregnancy and childbirth;

12. *Urges* States that have not yet done so to adopt and implement legislation and policies that protect all women migrant domestic workers, and to grant women migrant workers in domestic service access to transparent mechanisms for bringing complaints against employers, while stressing that such instruments should not punish women migrant workers, and calls upon States to promptly investigate and punish all violations;

13. *Calls upon* Governments, in cooperation with international organizations, non-governmental organizations, the private sector and other stakeholders, to provide women migrant workers who are victims of violence with the full range of immediate assistance and protection, such as access to counselling, legal and consular assistance and temporary shelter, as well as mechanisms to allow the views and concerns of victims to be presented and considered at appropriate stages of proceedings, including other measures that will allow victims to be present during the judicial process, to the extent possible, as well as to establish reintegration and rehabilitation schemes for returning women migrant workers;

14. *Also calls upon* Governments, in particular those of the countries of origin and destination, to put in place penal and criminal sanctions to punish perpetrators and intermediaries of violence against women migrant workers, and redress and justice mechanisms that victims can access effectively, as well as to ensure that migrant women victims of violence do not suffer from re-victimization, including by authorities;

15. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of women migrant workers and to take action to prevent and punish any form of illegal deprivation of the liberty of women migrant workers by individuals or groups;

16. *Encourages* Governments to formulate and implement training programmes for their law enforcers, immigration officers and border officials,

diplomatic and consular officials, prosecutors and service providers with a view to sensitizing those public-sector workers to the issue of violence against women migrant workers and imparting to them the necessary skills and attitude to ensure the delivery of proper, professional and gender-sensitive interventions;

17. *Calls upon* States, in accordance with the provisions of article 36 of the Vienna Convention on Consular Relations,[13] if a woman migrant worker is arrested or committed to prison or custody pending trial, or is detained in any other manner, to direct the competent authorities within their jurisdiction to inform her of her rights in this regard and, if she so requests, to inform without delay the consular post of the State of origin of the woman migrant worker;

18. *Invites* Governments, the United Nations system and other concerned intergovernmental and non-governmental organizations to cooperate towards a better understanding of the issues concerning women and international migration, and to improve the collection, dissemination and analysis of sex- and age-disaggregated data and information in order to assist in the formulation of migration and labour policies that are, inter alia, gender-sensitive and that protect human rights, as well as to aid in policy assessment;

19. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics Division of the Secretariat, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection and analysis methodologies that will generate comparable data and tracking and reporting systems on violence against women migrant workers;

20. *Notes with appreciation* the elaboration and adoption by the Committee on the Elimination of Discrimination against Women of general recommendation No. 26, on women migrant workers,[14] and calls upon States parties to the Convention on the Elimination of All Forms of Discrimination against Women to consider the recommendation;

21. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women, the International Research and Training Institute for the Advancement of Women and the United Nations Office on Drugs and Crime, as well as the reports of the special rapporteurs, which refer to the situation of women migrant workers, and other relevant sources, such as the International Organization for Migration, including non-governmental organizations.

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[13] United Nations, *Treaty Series*, vol. 596, No. 8638.

[14] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 38* (A/64/38), annex I.

United Nations A/C.3/64/L.19

General Assembly

Distr.: Limited
14 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 62 (a)
Advancement of women

Bangladesh, Benin, Guatemala, Jamaica, Mali, Mongolia, Panama, Philippines, Saint Lucia and Senegal: draft resolution

Improvement of the situation of women in rural areas

The General Assembly,

Recalling its resolutions 56/129 of 19 December 2001, 58/146 of 22 December 2003, 60/138 of 16 December 2005 and 62/136 of 18 December 2007,

Recalling also the importance attached to the problems of rural women in the Nairobi Forward-looking Strategies for the Advancement of Women,[1] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women[2] and the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[3] including the review and appraisal of the implementation of the outcomes, and the Convention on the Elimination of All Forms of Discrimination against Women.[4]

Recalling further the United Nations Millennium Declaration,[5] in which Member States resolved, inter alia, to promote gender equality and the empowerment of women as effective ways to combat poverty, hunger and disease and to stimulate development that is truly sustainable, and the 2005 World Summit Outcome,[6] in which they also resolved to promote gender equality and eliminate pervasive gender discrimination by taking all the necessary resolute action,

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[1] *Report of the World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace, Nairobi, 15-26 July 1985* (United Nations publication, Sales No. E.85.IV.10), chap. I, sect. A.

[2] Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995 (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[3] Resolution S-23/2, annex, and resolution S-23/3, annex.

[4] United Nations, *Treaty Series*, vol. 1249, No. 20378.

[5] See resolution 55/2.

[6] See resolution 60/1.

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Welcoming the declaration adopted by the Commission on the Status of Women at its forty-ninth session in the context of the review and appraisal of the implementation of the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly,[7]

Noting the attention paid to the improvement of the situation of indigenous women in rural areas in the United Nations Declaration on the Rights of Indigenous Peoples,[8]

Recognizing the work of relevant United Nations agencies, funds and programmes, especially United Nations Educational, Scientific and Cultural Organization, in promoting education for all, giving particular attention to girls and women in rural areas,

Welcoming the Monterrey Consensus of the International Conference on Financing for Development,[9] as well as the Johannesburg Declaration on Sustainable Development and the Plan of Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"),[10] in which Governments were called upon to mainstream the gender perspective into development at all levels and in all sectors, and the Doha Declaration on Financing for Development,[11]

Welcoming also the ministerial declaration of the high-level segment of the substantive session of 2003 of the Economic and Social Council, adopted on 2 July 2003,[12] which stressed the need for rural development to become an integral part of national and international development policies and of activities and programmes of the United Nations system, and called for an enhanced role for rural women at all levels of rural development, including decision-making,

Recalling the World Summit on the Information Society in Geneva in 2003 and Tunis in 2005 as well as the Tunis Agenda for the Information Society, adopted by the World Summit in 2005,[13] which reaffirmed the commitment to building capacity in information and communications technology for all and confidence in the use of information and communications technology by all, including, women, indigenous peoples and remote and rural communities,

Recognizing the critical role and contribution of rural women, including indigenous women, in enhancing agricultural and rural development, improving food security and eradicating rural poverty,

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[7] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[8] Resolution 61/295, annex.

[9] *Report of the International Conference on Financing for Development, Monterrey, Mexico, 18-22 March 2002* (United Nations publication, Sales No. E.02.II.A.7), chap. I, resolution 1, annex.

[10] *Report of the World Summit on Sustainable Development, Johannesburg, South Africa, 26 August-4 September 2002* (United Nations publication, Sales No. E.03.II.A.1 and corrigendum), chap. I, resolution 1, annex, and resolution 2, annex.

[11] Resolution 63/239, annex.

[12] See *Official Records of the General Assembly, Fifty-eighth Session, Supplement No. 3* (A/58/3/Rev.1), chap. III, para. 35.

[13] See A/60/687, chap. I, sect. B.

Reiterating that eradicating poverty is the greatest global challenge facing the world today, and an indispensable requirement for sustainable development, in particular for developing countries, while recognizing that rural areas of developing countries continue to be home to the vast majority of the world's poor people,

Recognizing the contributions of older rural women to the family and the community, especially, in cases where they are left behind by migrating adults or as a result of other socio-economic factors to assume childcare, household and agricultural responsibility,

Reiterating the call for fair globalization and the need to translate growth into eradication of poverty, including for rural women, and in this regard applauding the resolve to make the goals of full and productive employment and decent work for all, including for rural women, a central objective of relevant national and international policies as well as national development strategies, including poverty eradication strategies,

Recognizing the urgent need to take appropriate measures aimed at further improving the situation of women in rural areas,

1. *Takes note* of the report of the Secretary-General;[14]

2. *Urges* Member States, in collaboration with the organizations of the United Nations and civil society, as appropriate, to continue their efforts to implement the outcome of and to ensure an integrated and coordinated follow-up to the United Nations conferences and summits, including their reviews, and to attach greater importance to the improvement of the situation of rural women, including indigenous women, in their national, regional and global development strategies by, inter alia:

(a) Creating an enabling environment for improving the situation of rural women and ensuring systematic attention to their needs, priorities and contributions, including through enhanced cooperation and a gender perspective, and their full participation in the development, implementation and follow-up of macroeconomic policies, including development policies and programmes and poverty eradication strategies, including poverty reduction strategy papers where they exist, based on internationally agreed development goals, including the Millennium Development Goals;

(b) Pursuing the political and socio-economic empowerment of rural women and supporting their full and equal participation in decision-making at all levels, including through affirmative action, where appropriate, and support for women's organizations, labour unions or other associations and civil society groups promoting rural women's rights;

(c) Promoting consultation with and participation of rural women, including indigenous women and women with disabilities, through their organizations and networks, in the design, development and implementation of gender equality and rural development programmes and strategies;

(d) Ensuring that perspectives of rural women are taken into account and that they participate in the design, implementation, follow-up and evaluation of policies and activities related to emergencies, including natural disasters, humanitarian

[14] A/64/190.

assistance, peacebuilding and post-conflict reconstruction, and taking appropriate measures to eliminate all forms of discrimination against rural women in this regard;

(e) Integrating a gender perspective into the design, implementation, follow-up and evaluation of development policies and programmes, including budget policies, paying increased attention to the needs of rural women so as to ensure that they benefit from policies and programmes adopted in all spheres and that the disproportionate number of rural women living in poverty is reduced;

(f) Investing in and strengthening efforts to meet the basic needs of rural women through improved availability, access to and use of critical rural infrastructure, such as energy and transport, capacity-building and human resources development measures and the provision of a safe and reliable water supply and sanitation, nutritional programmes, affordable housing programmes, education and literacy programmes, and health and social support measures, including in the areas of sexual and reproductive health and HIV/AIDS treatment, care and support;

(g) Strengthening measures, including increased financial resources, to accelerate progress towards the achievement of Millennium Development Goal 5 on improving maternal health through addressing the specific health needs of rural women and taking concrete measures to enhance and provide access to the highest attainable standards of health for women in rural areas, including in such areas of sexual and reproductive health as pre- and post-natal health care, emergency obstetric care, family planning information and increasing knowledge, awareness and support for the prevention of sexually transmitted diseases, including HIV/AIDS;

(h) Designing and implementing national policies that promote and protect the enjoyment by rural women and girls of all human rights and fundamental freedoms and creating an environment that does not tolerate violations of their rights, including domestic violence, sexual violence and all other forms of gender-based violence;

(i) Ensuring that the rights of older women in rural areas are taken into account with regard to their equal access to basic social services, appropriate social protection/social security measures, equal access to and control of economic resources, and empowerment of older women through access to financial and infrastructure services, with special focus on support to older women, including indigenous women, who often have access to few resources and are more vulnerable;

(j) Promoting the rights of women and girls with disabilities in rural areas, including by ensuring their equal access to productive employment and decent work, economic and financial resources and disability-sensitive infrastructure and services, in particular in relation to health and education, as well as by ensuring that their priorities and needs are fully incorporated into policies and programmes, inter alia, through their participation in decision-making processes;

(k) Developing specific assistance programmes and advisory services to promote economic skills of rural women in banking, modern trading and financial procedures and providing microcredit and other financial and business services to a greater number of women in rural areas, in particular female-headed households, for their economic empowerment;

(l) Mobilizing resources, including at the national level and through official development assistance, for increasing women's access to existing savings and credit schemes, as well as targeted programmes that provide women with capital, knowledge and tools that enhance their economic capacities;

(m) Integrating increased employment opportunities for rural women into all international and national development strategies and poverty eradication strategies, including by, inter alia, expanding non-agricultural employment opportunities, improving working conditions and increasing access to productive resources;

(n) Taking steps towards ensuring that women's unpaid work and contributions to on-farm and off-farm production, including income generated in the informal sector, are recognized and supporting remunerative non-agricultural employment of rural women, improving working conditions and increasing access to productive resources;

(o) Promoting programmes to enable rural women and men to reconcile their work and family responsibilities and to encourage men to share equally with women household and childcare responsibilities;

(p) Considering the adoption, where appropriate, of national legislation to protect the knowledge, innovations and practices of women in indigenous and local communities relating to traditional medicines, biodiversity and indigenous technologies;

(q) Addressing the lack of timely, reliable and sex-disaggregated data, including by intensifying efforts to include women's unpaid work in official statistics, and developing a systematic and comparative research base on rural women that will inform policy and programme decisions;

(r) Designing and revising laws to ensure that, where private ownership of land and property exists, rural women are accorded full and equal rights to own land and other property, including through the right to inheritance, and undertaking administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies and access to markets and information;

(s) Supporting a gender-sensitive education system that considers specific needs of rural women in order to eliminate gender stereotypes and discriminatory tendencies affecting them;

(t) Increasing the capacity of personnel working with national development strategies, rural development, agricultural development, poverty eradication and implementation of the Millennium Development Goals to identify and address the challenges and constraints facing rural women, including through training programmes and the development and dissemination of methodologies and tools;

3. *Urges* Governments, United Nations entities and all other relevant stakeholders to take measures to identify and address the negative impacts of the current global crises on women in rural areas, including legislation, policies and programmes that strengthen gender equality and the empowerment of women;

4. *Invites* the Commission on the Status of Women to continue to pay due attention to the situation of rural women in the consideration of its priority themes;

5. *Requests* the relevant organizations and bodies of the United Nations system, in particular those dealing with issues of development, to address and support the empowerment of rural women and their specific needs in their programmes and strategies;

6. *Stresses* the need to identify the best practices for ensuring that rural women have access to and full participation in the area of information and communications technology, to address the priorities and needs of rural women and girls as active users of information and ensure their participation in developing and implementing global, regional and national information and communications technology strategies;

7. *Encourages* Member States, the United Nations and relevant organizations of its system to ensure that the needs of rural women are mainstreamed into the integrated process of follow-up to the major conferences and summits in the economic and social fields, in particular the Millennium Summit, World Summit on Sustainable Development, the International Conference on Financing for Development and the Follow-up International Conference on Financing for Development to Review the Implementation of the Monterrey Consensus held in Doha, the 2005 review and appraisal of the progress achieved in implementing all the commitments made in the Beijing Declaration and Platform for Action[5] and the outcome of the twenty-third special session of the General Assembly[3] and the 2005 World Summit;[6]

8. *Calls upon* Member States to take into consideration the concluding observations and recommendations of the Committee on the Elimination of Discrimination against Women concerning their reports to the Committee when formulating policies and designing programmes focused on the improvement of the situation of rural women, including those to be developed and implemented in cooperation with relevant international organizations;

9. *Invites* Governments, relevant international organizations and the specialized agencies to continue to observe the International Day of Rural Women annually, on 15 October, as proclaimed in its resolution 62/136;

10. *Requests* the Secretary-General to report to the General Assembly at its sixty-sixth session on the implementation of the present resolution.

United Nations A/C.3/64/L.20

General Assembly

Distr.: Limited
16 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 65 (a)
Promotion and protection of the rights of children

Namibia:* draft resolution

The girl child

The General Assembly,

Recalling its resolution 62/140 of 18 December 2007 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[1] the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women,[3] the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto,[4]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities and its specific attention to the fact that women and girls with disabilities are subject to multiple discrimination,

Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,[5]

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* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] Resolution 1763 A (XVII).

[2] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[3] Ibid., vol. 1249, No. 20378.

[4] Ibid., vols. 2171 and 2173, No. 27531; and ibid., vol. 2131, No. 20378.

[5] See resolution 60/1.

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Reaffirming also the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[6] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[7] and the Political Declaration on HIV/AIDS of 2006,[8]

Reaffirming further all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] the Programme of Action of the International Conference on Population and Development,[12] the Programme of Action of the World Summit for Social Development[13] and the declaration adopted by the Commission on the Status of Women at its forty-ninth session in 2005,[14] as well as the outcome of the fifty-first session of the Commission on the Status of Women, which considered "the elimination of all forms of discrimination and violence against the girl child" as its priority theme,[15]

Looking forward to the fifteen-year review of the implementation of the Beijing Declaration and Platform for Action, which will be undertaken in 2010 by the Commission on the Status of Women at its fifty-fourth session,

Reaffirming the Dakar Framework for Action, adopted at the World Education Forum in 2000,[16]

Welcoming the appointment of the Special Representative of the Secretary-General on violence against children and the launch of the Secretary-General's campaign "UNiTE to End Violence against Women, 2008-2015",

Recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the global financial and economic crisis and the food and energy crises is felt directly by households and in particular by women and girls,

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[6] Resolution S-27/2, annex.

[7] Resolution S-26/2, annex.

[8] Resolution 60/262, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[14] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

[15] See *Official Records of the Economic and Social Council, 2007, Supplement No. 7* (E/2007/27).

[16] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

Reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing that significant progress has been made in the passage of national legislation affirming the equality of girls and boys and women and men, but noting that a gap exists between commitment and practice,

Recognizing also that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, boys and men, as well as the wider community,

Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education and a lower quality thereof, and to nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, early marriage, forced marriage, prenatal sex selection and female genital mutilation,

Deeply concerned also that female genital mutilation is an irreparable, irreversible harmful practice that affects more than 130 million women and girls alive today, and that each year over three million girls are at risk of undergoing the harmful procedure,

Deeply concerned further that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted diseases, including HIV/AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

Concerned by the increasing number of child-headed households, in particular those headed by orphan girls, including those orphaned by the HIV/AIDS pandemic,

Deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

Deeply concerned that early marriage and early motherhood can severely curtail educational and employment opportunities for young women and are likely to have a long-term, adverse impact on the quality of their lives and the lives of their children,

Noting with concern that in some areas of the world, men outnumber women and that this discrepancy is attributable to, among other things, harmful attitudes and practices, such as early marriage, including child marriage, and other practices related to health and well-being, resulting in fewer girls than boys surviving into adulthood,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing, ratifying or acceding to the Convention on the Rights of the Child,[2] the Convention on the Elimination of All Forms of Discrimination against Women[3] and the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto[4] as a matter of priority;

2. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization to consider doing so;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[16] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All goals and the United Nations Millennium Development Goals, particularly those related to gender and education;

4. *Calls upon* all States, through enhanced emphasis on the education of the girl child, to impart and develop the necessary skills to enable them eventually to be employed, especially by taking steps to overcome male and female stereotypes and by promoting positive role models;

5. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

6. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action[10] with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

7. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives, and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration[9] and Platform for Action;

8. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[17] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

9. *Urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

10. *Also urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

11. *Further urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

12. *Urges* States, in cooperation with non-governmental organizations, the mass media, the private sector and relevant international organizations, including United Nations bodies, as appropriate, to develop policies and programmes, giving priority to both formal and informal educational programmes, that support and enable women to develop self-esteem, acquire knowledge, make decisions on and take responsibility for their own health, achieve mutual respect in matters concerning sexuality and fertility and educate men regarding the importance of women's health and well-being, placing special focus on programmes for both men

[17] Resolution S-23/3, annex.

and women that emphasize the elimination of harmful attitudes and practices, including early and forced marriage, including child marriage;

13. *Calls upon* States to take appropriate measures to address the root factors, including external factors, that encourage early and forced marriage, by strengthening existing legislation with a view to better protecting the rights of girls and to punishing the perpetrators, through both criminal and civil measures;

14. *Urges* all States to enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary, and to develop and implement comprehensive policies, plans of action and programmes that should form an integral part of the total development process and be focused on the survival, protection, development and advancement of the girl child to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls;

15. *Calls upon* States with the support of international and non-governmental organizations to generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

16. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour and early and forced marriage, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

17. *Also urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, of the Secretary-General in his in-depth study on all forms of violence against women[18] and of the independent expert in his study on violence against children;[19]

18. *Further urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

19. *Urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to

[18] A/61/122/Add.1 and Corr.1.

[19] A/61/299 and A/62/209.

include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

20. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV, and children who are incarcerated who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

21. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

22. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted diseases, HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

23. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

24. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[20]

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[20] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

25. *Calls upon* Member States to eliminate and prosecute all forms of trafficking in girls, including for sexual and economic exploitation, as part of a comprehensive strategy to eliminate all forms of violence against the girl child;

26. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

27. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

28. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

29. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV/AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with and affected by HIV, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly actions towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

30. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

31. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV/AIDS and other communicable diseases;

32. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people,

especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV infection and early pregnancy and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

33. *Stresses* the need to enhance the accountability of the international community, including at the highest levels of decision-making, in the process of mainstreaming the promotion and protection of the rights of the girl child into the development agenda;

34. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes and sensitization workshops on the dire consequences of this harmful practice for the health of the girl and to provide for those who perform the harmful procedure training programmes so that they may adopt an alternative profession;

35. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

36. *Calls upon* States and the international community to create an environment in which the well-being of the child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the Millennium Declaration, are realized within their time framework, and reaffirming that investments in children and the realization of their rights are among the most effective ways to eradicate poverty;

37. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, with an emphasis on ending early and forced marriage, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

United Nations A/C.3/64/L.20/Rev.1

General Assembly

Distr.: Limited
20 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 65 (a)
Promotion and protection of the rights of children

Armenia, Belarus, Cameroon, Cape Verde, Chile, Congo, Côte d'Ivoire, Ecuador, Ethiopia, Guatemala, Honduras, Kenya, Kyrgyzstan, Mongolia, Namibia,* Nigeria, Panama, Paraguay, Republic of Korea, Rwanda, Senegal, Sierra Leone, Timor-Leste and Uzbekistan: revised draft resolution

The girl child

The General Assembly,

Recalling its resolution 62/140 of 18 December 2007 and all relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Reaffirming the equal rights of women and men as enshrined in the Charter of the United Nations,

Recalling all human rights and other instruments relevant to the rights of the child, in particular the girl child, including the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women,[2] the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto,[3]

Welcoming the entry into force of the Convention on the Rights of Persons with Disabilities and its specific attention to the fact that women and girls with disabilities are subject to multiple discrimination, including in education and schooling,

* On behalf of the States Members of the United Nations that are members of the Southern African Development Community.

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[2] Ibid., vol. 1249, No. 20378.

[3] Ibid., vols. 2171 and 2173, No. 27531, and ibid., vol. 2131, No. 20378.

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Reaffirming the internationally agreed development goals, including the Millennium Development Goals, as well as the commitments relevant to the girl child made at the 2005 World Summit,[4]

Recalling the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages,[5]

Reaffirming the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[6] the Declaration of Commitment on HIV/AIDS adopted at the twenty-sixth special session of the General Assembly on HIV/AIDS, entitled "Global Crisis — Global Action",[7] and the Political Declaration on HIV/AIDS of 2006,[8]

Reaffirming also all other relevant outcomes of major United Nations summits and conferences relevant to the girl child, as well as their five- and ten-year reviews, including the Beijing Declaration[9] and Platform for Action[10] adopted at the Fourth World Conference on Women, the outcome of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[11] the Programme of Action of the International Conference on Population and Development,[12] the Programme of Action of the World Summit for Social Development[13] and the declaration adopted by the Commission on the Status of Women at its forty-ninth session in 2005,[14] as well as the agreed conclusions of the fifty-first session of the Commission on the Status of Women, which considered "the elimination of all forms of discrimination and violence against the girl child" as its priority theme,

Looking forward to the fifteen-year review of the implementation of the Beijing Platform for Action and of the outcomes of the twenty-third special session of the General Assembly, entitled, "Women 2000: Gender equality, development and peace for the twenty-first century",[15] and emphasizing the importance of the sharing of experiences and good practices, with a view to overcoming remaining obstacles and new challenges, including those related to the Millennium Development Goals, which will take place during the upcoming fifty-fourth session of the Commission on the Status of Women in 2010,

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[4] See resolution 60/1.

[5] Resolution 1763 A (XVII).

[6] Resolution S-27/2, annex.

[7] Resolution S-26/2, annex.

[8] Resolution 60/262, annex.

[9] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex I.

[10] Ibid., annex II.

[11] Resolution S-23/2, annex, and resolution S-23/3, annex.

[12] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[13] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex II.

[14] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A, see also Economic and Social Council decision 2005/232.

[15] Resolution S-23/2, annex, and resolution S-23/3, annex.

Reaffirming the Dakar Framework for Action, adopted at the World Education Forum in 2000,[16]

Welcoming the appointment of the Special Representative of the Secretary-General on violence against children, the creation of the new post of Special Representative of the Secretary-General on sexual violence in armed conflict and the launch of the Secretary-General's campaign "UNiTE to End Violence against Women, 2008-2015",

Recognizing that chronic poverty remains the single biggest obstacle to meeting the needs of and promoting and protecting the rights of children and that urgent national and international action is therefore required to eliminate it, and noting that the burden of the global financial and economic crisis, the energy crisis, the food crisis and the continuing food insecurity as a result of various factors is felt directly by households, especially those depending on income from the informal sector, particularly by women and girls,

Recognizing also that girl children are often at greater risk of being exposed to and encountering various forms of discrimination and violence, which continue to hinder efforts towards the achievement of the Millennium Development Goals, and reaffirming the need to achieve gender equality to ensure a just and equitable world for girls, including through partnering with men and boys, as an important strategy for advancing the rights of the girl child,

Recognizing further that progress has been made in the passage of national legislation that affirms the equality of girls and boys and that corresponding measures have not been taken to effectively implement such legislation, and further recognizing the continuing existence of discrimination against girls and women throughout the world and that addressing this situation will require additional efforts to strengthen policy implementation, including through international cooperation,

Recognizing that the empowerment of girls is key in breaking the cycle of discrimination and violence and in promoting and protecting the full and effective enjoyment of their human rights, and further recognizing that empowering girls requires the active support and engagement of their parents, legal guardians, families, boys and men, as well as the wider community,

Deeply concerned about all forms of violence against children, in particular about phenomena that disproportionately affect girls, such as commercial sexual exploitation and child pornography, child and forced marriage, rape and domestic violence, and, in addition, about the corresponding lack of accountability and impunity, which reflect discriminatory norms reinforcing the lower status of girls in society,

Deeply concerned also about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, and quality thereof, nutrition and physical and mental health care, in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys, and in leaving them more vulnerable than boys to the consequences of unprotected and premature sexual relations and often being subjected to various forms of cultural, social, sexual and economic exploitation and

[16] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

violence, abuse, rape, incest, honour-related crimes and harmful traditional practices, such as female infanticide, child and forced marriages, prenatal sex selection and female genital mutilation,

Deeply concerned further that female genital mutilation violates and impairs the full enjoyment of the human rights of women and girls and that it is an irreparable and irreversible harmful practice that affects between 100 and 140 million women and girls alive today, and that each year over three million girls are at risk of undergoing the harmful procedure,

Deeply concerned that the goal set out in "A world fit for children" of ending female genital mutilation by 2010 will go unmet,

Deeply concerned also that, in situations of poverty, war and armed conflict, girl children are among those most affected and furthermore become the victims of sexual violence, abuse and exploitation and sexually transmitted infections and diseases, including HIV and AIDS, which have a serious impact on the quality of their lives and leave them open to further discrimination, violence and neglect, thus limiting their potential for full development,

Emphasizing that increased access to education, including in the areas of sexual and reproductive health, for young people, especially girls, dramatically lowers their vulnerability to preventable diseases, in particular HIV infection and sexually transmitted diseases,

Concerned by the increasing number of child-headed households, in particular those headed by orphaned girls, including those orphaned by the HIV and AIDS pandemic,

Deeply concerned that early childbearing and limited access to sexual and reproductive health care, including in the area of emergency obstetric care, causes high levels of obstetric fistula and maternal mortality and morbidity,

Convinced that racism, racial discrimination, xenophobia and related intolerance reveal themselves in a differentiated manner for women and girls and can be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and limitation or denial of their human rights,

Recognizing that early childbearing continues to be an impediment to the improvement of the educational and social status of girls in all parts of the world and that, overall, child and forced marriages and early motherhood can severely curtail their educational opportunities and are likely to have a long-term, adverse impact on their employment opportunities and on their, and their children's, quality of life,

Noting with concern that in some areas of the world men outnumber women as a result, in part of harmful attitudes and practices, such as female genital mutilation, son preference, which results in female infanticide and prenatal sex selection, early marriage, including child marriage, violence against women, sexual exploitation, sexual abuse and discrimination against girls in food allocation and in other practices related to health and well-being, resulting in fewer girls than boys surviving into adulthood,

Taking note with appreciation of the adoption of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which is the outcome document of the Third World Congress against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, in November 2008,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as provided to her under human rights instruments, and urges States to consider signing, ratifying or acceding to the Convention on the Rights of the Child,[1] the Convention on the Elimination of All Forms of Discrimination against Women[2] and the Convention on the Rights of Persons with Disabilities and the Optional Protocols thereto[3] as a matter of priority;

2. *Urges* all States that have not yet signed and ratified or acceded to the Convention concerning Minimum Age for Admission to Employment, 1973 (Convention No. 138) and the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, 1999 (Convention No. 182), of the International Labour Organization to consider doing so;

3. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum,[16] in particular that of eliminating gender disparities in primary and secondary education by 2005, which have not been fully met, and to implement the United Nations Girls' Education Initiative as a means of reaching this goal, and calls for the implementation of and reaffirms the commitments contained in the Education for All Goals and the United Nations Millennium Development Goals, particularly those related to gender and education;

4. *Calls upon all States* to place enhanced emphasis on quality education for the girl child, including catch-up and literacy education for those who did not receive formal education, to promote access to skills and entrepreneurial training for young women and to tackle male and female stereotypes in order to ensure that young women entering the labour market have opportunities to obtain full and productive employment and decent work;

5. *Calls upon* States and the international community to recognize the right to education on the basis of equal opportunity and non-discrimination by making primary education compulsory and available free to all children, ensuring that all children have access to education of good quality, as well as making secondary education generally available and accessible to all, in particular through the progressive introduction of free education, bearing in mind that special measures to ensure equal access, including affirmative action, contribute to achieving equal opportunity and combating exclusion, and ensuring school attendance, in particular for girls and children from low-income families;

6. *Stresses* the importance of a substantive assessment of the implementation of the Beijing Platform for Action[10] with a life cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

7. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Beijing

Platform for Action, in particular the strategic objectives relating to the girl child, and the further actions and initiatives, and to mobilize all necessary resources and support in order to achieve the goals and strategic objectives and actions set out in the Beijing Declaration[9] and Platform for Action;

8. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Beijing Platform for Action, as contained in paragraph 33 of the further actions and initiatives to implement the Beijing Declaration and Platform for Action,[17] where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

9. *Urges* States to strengthen efforts to urgently eradicate all forms of discrimination against women and girls, and, where applicable, to remain dedicated to the implementation of the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol;[18]

10. *Also urges* States to fulfil the pledges they made at the Fourth World Conference on Women and the twenty-third special session of the General Assembly to modify or abolish remaining laws that discriminate against women and girls;

11. *Further urges* States to improve the situation of girl children living in poverty, deprived of nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is most threatening and harmful to the girl child, leaving her unable to enjoy her rights, to reach her full potential and to participate as a full member of society;

12. *Urges* States to ensure that the applicable requirements of the International Labour Organization for the employment of girls and boys are respected and effectively enforced and that girls who are employed have equal access to decent work, and equal payment and remuneration, are protected from economic exploitation, discrimination, sexual harassment, violence and abuse in the workplace, are aware of their rights and have access to formal and non-formal education, skills development and vocational training, and further urges States to develop gender-sensitive measures, including national action plans, where appropriate, to eliminate the worst forms of child labour, including commercial sexual exploitation, slavery-like practices, forced and bonded labour, trafficking and hazardous forms of child labour;

13. *Calls upon* States to take all necessary measures to ensure the right of girls to the enjoyment of the highest attainable standard of health, including sexual and reproductive health, and to develop sustainable health systems and social services;

14. *Urges* all States to promote gender equality and equal access to basic social services, such as education, nutrition, birth registration, health care, including sexual and reproductive health, vaccinations and protection from diseases

[17] Resolution S-23/3, annex.

[18] United Nations, *Treaty Series*, vol. 2131, No. 20378.

representing the major causes of mortality, and to mainstream a gender perspective in all development policies and programmes, including those relating to children as well as those specific to the girl child;

15. *Calls upon* States to take appropriate measures to address the root factors of child and forced marriages, including by undertaking educational activities to raise awareness regarding the negative aspects of such practices, and to strengthen existing legislation and policies with a view to providing better promotion and protection of the rights of the child, in particular the girl child;

16. *Urges* all States to enact and strictly enforce laws to ensure that marriage is only entered into with the free and full consent of the intending spouses, in addition, to enact and strictly enforce laws concerning the minimum legal age of consent and the minimum age for marriage and raise the minimum age for marriage where necessary and to develop and implement comprehensive policies, plans of action and programmes for the survival, protection, development and advancement of the girl child in order to promote and protect the full enjoyment of her human rights and to ensure equal opportunities for girls, including the inclusion of such plans as an integral part of her total development process;

17. *Calls upon* States with the support of international organizations and civil society, including non-governmental organizations, to generate social support for the enforcement of laws on the minimum legal age for marriage, in particular by providing educational opportunities for girls;

18. *Also calls upon* States with the support of international organizations, civil society and non-governmental organizations, as appropriate, to develop policies and programmes, giving priority to formal and informal education programmes that support girls and enable them to acquire knowledge, develop self-esteem and take responsibility for their own lives, and to place special focus on programmes to educate women and men, especially parents, about the importance of girls' physical and mental health and well-being, including the elimination of discrimination against girls in child and forced marriages;

19. *Urges* all States to enact and enforce legislation to protect girls from all forms of violence and exploitation, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, trafficking and forced migration, forced labour, and child and forced marriage, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence and discrimination;

20. *Urges* States to complement punitive measures with educational activities designed to promote a process of consensus towards the abandonment of harmful practices such as female genital mutilation and to provide appropriate services for those affected by the practice;

21. *Calls upon* all States to enact and enforce necessary legislative or other measures in cooperation with relevant stakeholders to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of this material and that its creators, distributors and collectors are prosecuted as appropriate;

22. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of discrimination and violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteurs of the Human Rights Council on violence against women, its causes and consequences, and on trafficking in persons, especially women and children, of the Secretary-General in his in-depth study on all forms of violence against women[19] and of the independent expert in his study on violence against children;[20]

23. *Also urges* States to ensure that the right of children to express themselves and participate in all matters affecting them, in accordance with their age and maturity, is fully and equally enjoyed by girls;

24. *Further urges* States to involve girls, including girls with special needs, and their representative organizations, in decision-making processes, as appropriate, and to include them as full and active partners in identifying their own needs and in developing, planning, implementing and assessing policies and programmes to meet those needs;

25. *Recognizes* that a considerable number of girl children are particularly vulnerable, including orphans, children living on the street, internally displaced and refugee children, children affected by trafficking and sexual and economic exploitation, children living with HIV and AIDS, and children who are incarcerated who live without parental support, and therefore urges States, with the support of the international community, where relevant, to take appropriate measures to address the needs of such children by implementing national policies and strategies to build and strengthen governmental, community and family capacities to provide a supportive environment for such children, including by providing appropriate counselling and psychosocial support, and ensuring their enrolment in school and access to shelter, good nutrition and health and social services on an equal basis with other children;

26. *Encourages* States to promote actions, including through bilateral and multilateral technical cooperation and financial assistance, for the social reintegration of children in difficult situations, in particular girls, considering, inter alia, views, skills and capacities that those children have developed in the conditions in which they lived and, where appropriate, with their meaningful participation;

27. *Urges* all States and the international community to respect, promote and protect the rights of the girl child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict, and post-conflict situations, and further urges States to take special measures for the protection of girls, in particular to protect them from sexually transmitted infections, including HIV infection, gender-based violence, including rape, sexual abuse and sexual exploitation, torture, abduction and forced labour, paying special attention to refugee and displaced girls, and to take into account their special needs in the delivery of humanitarian

[19] A/61/122/Add.1 and Corr.1

[20] A/61/299 and A/62/209.

assistance and disarmament, demobilization, rehabilitation assistance and reintegration processes;

28. *Deplores* all cases of sexual exploitation and abuse of women and children, especially girls, in humanitarian crises, including those cases involving humanitarian workers and peacekeepers, and urges States to take effective measures to address gender-based violence in humanitarian emergencies and to make all possible efforts to ensure that their laws and institutions are adequate to prevent, promptly investigate and prosecute acts of gender-based violence;

29. *Also deplores* all acts of sexual exploitation, abuse of and trafficking in women and children by military, police and civilian personnel involved in United Nations operations, welcomes the efforts undertaken by United Nations agencies and peacekeeping operations to implement a zero-tolerance policy in this regard, and requests the Secretary-General and personnel-contributing countries to continue to take all appropriate action necessary to combat these abuses by such personnel, including through the full implementation without delay of those measures adopted in the relevant General Assembly resolutions based on recommendations of the Special Committee on Peacekeeping Operations;[21]

30. *Calls upon* Member States to devise, enforce and strengthen effective child and youth-sensitive measures to combat, eliminate and prosecute all forms of trafficking in women and girls, including for sexual and economic exploitation as part of a comprehensive anti-trafficking strategy within wider efforts to eliminate all forms of violence against women and girls, including through taking effective measures against the criminalization of girls who are victims of exploitation and ensuring that girls who have been exploited receive access to the necessary psychosocial support;

31. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and full respect for and the enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate and gender-sensitive information material on those rights to all sectors of society, in particular to children;

32. *Requests* the Secretary-General, as Chairman of the United Nations System Chief Executives Board for Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees and the International Labour Organization, take into account the rights and the particular needs of the girl child in country programmes of cooperation in accordance with national priorities, including through the United Nations Development Assistance Framework;

33. *Requests* all human rights treaty bodies and the human rights mechanisms of the Human Rights Council, including the special procedures, to

[21] See *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 19* (A/59/19/Rev.1).

adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

34. *Requests* States to ensure that, in all policies and programmes designed to provide comprehensive HIV and AIDS prevention, treatment, care and support, particular attention and support is given to the girl child at risk, infected with or affected by HIV, including pregnant girls and young and adolescent mothers, as part of the global effort to scale up significantly towards achieving the goal of universal access to comprehensive prevention, treatment, care and support by 2010;

35. *Invites* States to promote initiatives aimed at reducing the prices of antiretroviral drugs, especially second-line drugs, available to the girl child, including bilateral and private sector initiatives as well as initiatives on a voluntary basis taken by groups of States, including those based on innovative financing mechanisms that contribute to the mobilization of resources for social development, including those that aim to provide further access to drugs at affordable prices to developing countries on a sustainable and predictable basis, and in this regard takes note of the International Drug Purchase Facility, UNITAID;

36. *Calls upon* all States to integrate food and nutritional support with the goal that children, especially girl children, have access at all times to sufficient, safe and nutritious food to meet their dietary needs and food preferences, for an active and healthy life, as part of a comprehensive response to HIV and AIDS and other communicable diseases;

37. *Urges* States and the international community to increase resources at all levels, particularly in the education and health sectors, to enable young people, especially girls, to gain the knowledge, attitudes and skills that they need to prevent HIV infection and early pregnancy and to enjoy the highest attainable standard of physical and mental health, including sexual and reproductive health;

38. *Stresses* the need to strengthen the commitment of States and the United Nations system in their responsibility to mainstream the promotion and protection of the rights of the child, in particular the girl child, in the development agenda at the national and international level;

39. *Urges* States, the international community, the relevant United Nations entities, civil society and international financial institutions to continue to actively support, through the allocation of increased financial resources, targeted innovative programmes that address ending female genital mutilation and developing and providing education programmes, such as the United Nations Population Fund-United Nations Children's Fund joint programme on accelerating the abandonment of female genital mutilation, and sensitization workshops on the dire consequences of this harmful practice for the health of the girl and to provide for those who perform the harmful procedure training programmes so that they may adopt an alternative profession;

40. *Welcomes* the commitment of ten United Nations agencies in their joint statement of 27 February 2008 to continue working towards the elimination of female genital mutilation, by, inter alia, providing technical and financial assistance, and stresses that a common coordinated approach that promotes positive social change at community, national and international levels could lead to female genital

mutilation being abandoned within a generation, with some of the main achievements obtained by 2015, in line with the Millennium Development Goals;

41. *Calls upon* States to strengthen the capacity of national health systems, and in this regard calls upon the international community to assist national efforts, including by allocation of adequate resources in order to provide essential services needed to prevent obstetric fistula and to treat those cases that occur by providing the continuum of services, including family planning, prenatal and post-natal care, skilled birth attendance, emergency obstetric care and post-partum care, to adolescent girls, including those living in poverty and in underserved rural areas where obstetric fistula is most common;

42. *Calls upon* States and the international community to create an environment in which the well-being of the girl child is ensured, inter alia, by cooperating, supporting and participating in global efforts for poverty eradication at the global, regional and country levels, recognizing that strengthened availability and effective allocation of resources are required at all levels, in order to ensure that all the internationally agreed development and poverty eradication goals, including those set out in the Millennium Declaration, are realized within their time framework, and reaffirming that investments in children, particularly girls, and the realization of their rights, are among the most effective ways to eradicate poverty;

43. *Requests* the Secretary-General to submit a report to the General Assembly at its sixty-sixth session on the implementation of the present resolution, including an emphasis on ending child and forced marriages, using information provided by Member States, the organizations and bodies of the United Nations system and non-governmental organizations, with a view to assessing the impact of the present resolution on the well-being of the girl child.

United Nations A/C.3/64/L.21

General Assembly

Distr.: Limited
19 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 65 (a)
Promotion and protection of the rights of children

Antigua and Barbuda, Argentina, Austria, Bahamas, Barbados, Belgium, Belize, Bolivia (Plurinational State of), Brazil, Bulgaria, Chile, Colombia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Estonia, Finland, France, Germany, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Ireland, Italy, Jamaica, Latvia, Lithuania, Luxembourg, Malta, Mexico, Netherlands, Nicaragua, Panama, Paraguay, Peru, Poland, Portugal, Romania, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Slovakia, Slovenia, Spain, Suriname, Sweden, Trinidad and Tobago, United Kingdom of Great Britain and Northern Ireland, Uruguay, Venezuela (Bolivarian Republic of): draft resolution

Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child, the most recent of which is resolution 63/241 of 24 December 2008, in their entirety,

Emphasizing that the Convention on the Rights of the Child[1] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[2] as well as other human rights instruments,

Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action,[3] the United Nations Millennium Declaration[4] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 55/2.

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for children",[5] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[6] the Dakar Framework for Action adopted at the World Education Forum,[7] the Declaration on Social Progress and Development,[8] the Universal Declaration on the Eradication of Hunger and Malnutrition,[9] the Declaration on the Right to Development[10] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[11]

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child and the issues addressed in Assembly resolution 63/241,[13] as well as the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[14] whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note of the report of the Secretary-General on children and armed conflict,[15]

Acknowledging the important role played by national governmental structures for children, including, where existing, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations where appropriate, and intergovernmental organizations, and recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively affected by the world financial and economic crisis, and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond socio-economic context,

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[5] Resolution S-27/2, annex.

[6] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[7] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[8] See resolution 2542 (XXIV).

[9] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[10] Resolution 41/128, annex.

[11] See resolution 62/88.

[12] A/64/285.

[13] A/64/172.

[14] A/64/254.

[15] A/63/785-S/2009/158 and Corr.1.

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Commemorates* the twentieth anniversary of the adoption of the Convention on the Rights of the Child[1] and the fiftieth anniversary of the adoption of the Declaration of the Rights of the Child,[16] which provided a foundation for the Convention, and takes this opportunity to call for the effective implementation of the Convention by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

2. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child and the Optional Protocols thereto[2] as a matter of priority and to implement them fully;

3. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[3]

4. *Encourages* States parties to take duly into account, in implementing the provisions of the Convention and the Optional Protocols thereto, the recommendations, observations and general comments of the Committee on the Rights of the Child, including general comment No. 12 (2009), on the right of the child to be heard;[17]

5. *Welcomes* actions of the Committee on the Rights of the Child to follow up and monitor the implementation of its concluding observations and recommendations by the States parties, and, in this regard, particularly underlines the regional workshops and the participation of the Committee in national-level initiatives;

6. *Recalls* Human Rights Council resolution 10/14 of 26 March 2009, entitled "Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto";[18]

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

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[16] See resolution 1386 (XIV).

[17] CRC/C/GC/12, 20 July 2009.

[18] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53), chap. II.A.

Registration, family relations and adoption or other forms of alternative care

8. Also reaffirms paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in the cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the accomplishment of the United Nations Guidelines for the Alternative Care of Children and the decision of the Human Rights Council, by its resolution 11/7 of 17 June 2009,[19] to submit them to the General Assembly for action thereon;

Economic and social well-being of children, eradication of poverty, right to education, enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of General Assembly resolution 63/241, paragraphs 42 to 52 of Assembly resolution 61/146, and paragraphs 37 to 42 of Assembly resolution 60/231, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments in the field of poverty eradication, the right to education, the right to the enjoyment of the highest attainable standard of physical and mental health and the right to food for all;

11. *Recognizes* the threat to the achievement of internationally agreed development goals, including the Millennium Development Goals, posed by the global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to this crisis, any impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of resolution 63/241;

13. *Welcomes* the appointment of the Special Representative of the Secretary-General on Violence against Children, and encourages all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to continue to widely disseminate and follow up on the United Nations study on violence against children by the independent expert appointed by the Secretary-General[20] and to cooperate with and provide support to the Special Representative, including financial support,

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[19] Ibid., chap. I.

[20] See A/61/299 and A/62/209.

in promoting the further implementation of the recommendations of the study and for the effective and independent performance of her mandate, while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned and invites the private sector to provide voluntary contributions for that purpose;

Promoting and protecting the rights of children, including children in particularly difficult situations

14. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations, to implement programmes and measures that provide them with special protection and assistance, including, inter alia, access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded primary consideration;

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

15. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

16. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of sale of children, including for the purposes of transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of the eradication of those practices, and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

17. *Welcomes* the adoption of the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, which is the outcome document of the Third World Congress against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, Brazil, in November 2008;

18. *Calls upon* all States to take necessary legislative or other measures in cooperation with relevant stakeholders to ensure that child pornography and child sexual abuse images on the Internet are reported and removed and that access to such websites is blocked when they cannot be removed;

Children affected by armed conflict

19. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, and condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges those parties to armed conflict that are engaged, in contravention of applicable international law, in recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as all other violations and abuses against children, to develop concrete and time-bound measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to all violations and abuses committed against children in situations of armed conflict;

20. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and also notes the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

21. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 and the adoption of Security Council resolution 1882 (2009) on 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with these resolutions, with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level, and requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

22. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development and to eliminate immediately the worst forms of child labour;

23. *Takes note with appreciation* of the United Nations Educational, Scientific and Cultural Organization *Education for All Global Monitoring Report* of 2009, which emphasizes the need to increase the quality of education as a way to attract and keep children in school as a tool in the prevention and elimination of child labour, and calls upon all States to take fully into account the action plan entitled "The end of child labour: within reach", which was adopted unanimously by the International Labour Conference in 2006, in their national efforts to tackle child labour and to monitor progress towards meeting the target of eliminating the worst forms of child labour by 2016;

III
The right of the child to express his or her views freely in all matters affecting him or her

24. *Recognizes* that the child who is capable of forming his or her own views should be assured the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with his or her age and maturity;

25. *Reaffirms* that the general principle of participation forms part of the framework for the interpretation and implementation of all other rights incorporated in the Convention on the Rights of the Child;

26. *Also reaffirms* the international agreement on the 2015 target date for achieving universal primary education in all countries, and emphasizes that literacy and universal access to free and compulsory primary education of a good quality for all children is a key element in promoting the right of the child to express his or her views freely in all matters affecting him or her, and encourages international cooperation in this regard, including regional cooperation as well as South-South cooperation;

27. *Recognizes* that, in the exercise by the child of his or her right to be heard, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

28. *Also recognizes* the key role that can be played by schools, and in this regard encourages States to ensure the institutionalization of children's participation and encourage the active consultation with children and the consideration of their views on relevant matters related to schools;

29. *Further recognizes* the role that can be played by the private sector, including the media, in promoting the participation and active consultation of children in issues affecting them, taking into account the best interests of the child;

30. *Recognizes* that the free engagement of children in extra-curricular activities, such as cultural, artistic, recreational, leisure, ecological and sports activities at the local and national levels, could develop the ability of children to express their views;

31. *Expresses deep concern* that, despite the recognition of children as rights holders entitled to express their views freely in all matters affecting them, those views being given due weight in accordance with the age and maturity of the child, children are seldom seriously consulted and involved in such matters and that the full implementation of this right in many parts of the world has yet to be fully realized;

32. *Recognizes* that the achievement of the right of the child to express his or her own views and to participate requires adults to adopt a child-centred attitude, listening to children and respecting their rights and individual points of view;

33. *Calls upon* all States to:

(a) Ensure that children are given the opportunity to express their views freely on all matters affecting them, including within family settings, in school and in their communities, and that due weight is given to those views once expressed, without discrimination on any grounds by, as appropriate, adopting and/or continuing to implement regulations and arrangements that are firmly anchored in laws and institutional codes and that are regularly evaluated with regard to their effectiveness;

(b) Ensure that funding for child participation is considered in resource allocation and that policies and programmes to facilitate their participation are institutionalized and fully implemented;

(c) Address all the root causes impeding children from exercising their right to be heard and to be consulted on issues affecting them and to raise awareness on the importance of child participation in a democratic society that respects the best interests of the child;

(d) Designate, establish or strengthen relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children, which should also have mechanisms in place for allowing and promoting the involvement and participation of children in the formulation and implementation of public policies, and ensure adequate and systematic training in the rights of the child for professional groups working with and for children;

(e) Involve children in the planning, design, implementation and evaluation of national plans of action that relate to the rights of the child, in recognition of the role of the child as a core stakeholder in the process according to his or her own age, maturity and evolving capacities;

(f) Encourage and enable children affected by natural and man-made disasters and complex emergencies, in particular adolescents, to participate in analysing their situations and future prospects in both post-emergency reconstruction processes and post-conflict resolution processes, while ensuring that such participation is in accordance with their age, maturity and evolving capacities and is consistent with the best interests of the child and recognizing that appropriate care needs to be taken to protect children from exposure to situations that are likely to be traumatic or harmful;

(g) Develop policies and effective mechanisms at the local and national levels to enable children to express their views and participate safely and meaningfully in the monitoring and reporting processes related to the implementation of the Convention on the Rights of the Child;

(h) Develop and implement policies and programmes to promote the creation by public authorities, parents, guardians, other caregivers and other adults working with or for children of an environment based on trust, information sharing, the capacity to listen and sound guidance that is conducive to the equal participation of children, including in decision-making processes;

(i) Partner with civil society organizations, including child- and youth-led organizations as well as the private sector and the media, in order to raise awareness about the benefits of child participation in society, and to inform children, parents,

guardians, other caregivers and the general public about the rights of the child while being attentive to their influence on children and children's protection;

(j) Take all appropriate measures to promote the active involvement of parents, professionals and relevant authorities in the creation of opportunities for children to exercise their rights within their everyday activities in all relevant settings, including by providing training in the necessary skills;

(k) Provide support to children and young people to enable them to form and register their own associations and other child- and youth-led initiatives, in conformity with national and international law, and ensure their full participation in the development of policies designed to meet national children and youth goals and targets;

(l) Ensure the equal participation of girls and young women on the basis of non-discrimination and as partners with boys and young men in the development of strategies and the implementation of action aimed at achieving gender equality, development and peace;

(m) Provide support to girls, if needed, to voice their views and for their views to be given due weight, and adopt measures to eliminate gender stereotypes that undermine and place severe limitations on girls in the enjoyment of this right;

(n) Take measures to ensure the exercise of the right to expression of views for children belonging to minorities and/or vulnerable groups, including migrant children, and indigenous children within their cultural values or ethnic identities;

(o) Adopt measures, including providing or promoting the use of accessible means, modes and formats of communication, to facilitate the expression of views by children with disabilities;

(p) Ensure that, while taking the necessary measures to prevent and punish the wrongful removal of children who are subjected to enforced disappearance, children whose father, mother or legal guardian is subjected to enforced disappearance and children born during the captivity of a mother subjected to enforced disappearance, and while cooperating and assisting in the search for the identification of children who have been victims of such practices and returning them to their families of origin, in accordance with legal procedures and applicable international agreements, the best interests of the child shall be a primary consideration and that a child who is capable of forming his or her own views shall have the right to express those views freely, the views of the child being given due weight in accordance with the age and maturity of the child;

(q) Ensure that child-sensitive procedures are made available to children and their representatives so that children have access to means of facilitating effective remedies for any breaches of any of their rights arising from the Convention on the Rights of the Child through independent advice, advocacy and complaint procedures, including justice mechanisms, and that their views are heard when they are involved or their interests are concerned in judicial or administrative procedures;

(r) Support the mainstreaming of children's participation and their safe and meaningful involvement in United Nations processes that are related to the promotion and protection of the rights of the child;

(s) Support children's participation in initiatives to prevent and respond to violence against children, including in the work of the Special Representative of the Secretary-General on Violence against Children;

(t) Establish and/or enhance, in collaboration with children, families, civil society and other relevant actors, a safe, meaningful and child-friendly environment for the appropriate, relevant, informed and voluntary participation of children in decision-making processes and minimize the risk to children of violence, exploitation or any other negative consequence of their participation, taking into account their preferred mediums of expression, age, maturity and evolving capacities;

(u) Take measures to guarantee the participation of children in the design and implementation of preventive and comprehensive anti-bullying policies;

IV
Follow-up

34. *Decides:*

(a) To request the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General on Violence against Children to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(d) To request the Special Rapporteur on the sale of children, child prostitution and child pornography to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(e) To invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fifth session as a way to enhance communication between the Assembly and the Committee;

(f) To invite all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe the twentieth anniversary of the adoption of the Convention on the Rights of the Child;

(g) To continue its consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on [next year's theme].

United Nations A/C.3/64/L.21/Rev.1

General Assembly

Distr.: Limited
18 November 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 65 (a)
Promotion and protection of the rights of children

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belarus, Belgium, Belize, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Cameroon, Cape Verde, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malta, Mexico, Monaco, Mongolia, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Serbia, Sierra Leone, Slovakia, Slovenia, Spain, Suriname, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tajikistan, Timor-Leste, Togo, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela (Bolivarian Republic of): revised draft resolution

Rights of the child

The General Assembly,

Reaffirming all its previous resolutions on the rights of the child, the most recent of which is resolution 63/241 of 24 December 2008, in their entirety,

Emphasizing that the Convention on the Rights of the Child[1] must constitute the standard in the promotion and protection of the rights of the child, and bearing in mind the importance of the Optional Protocols to the Convention,[2] as well as other human rights instruments,

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531.

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Reaffirming that the general principles of, inter alia, the best interests of the child, non-discrimination, participation and survival and development provide the framework for all actions concerning children, including adolescents,

Reaffirming also the Vienna Declaration and Programme of Action,[3] the United Nations Millennium Declaration[4] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[5] and recalling the Copenhagen Declaration on Social Development and the Programme of Action,[6] the Dakar Framework for Action adopted at the World Education Forum,[7] the Declaration on Social Progress and Development,[8] the Universal Declaration on the Eradication of Hunger and Malnutrition,[9] the Declaration on the Right to Development[10] and the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[11]

Taking note with appreciation of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[12] and on the status of the Convention on the Rights of the Child[1] and the issues addressed in Assembly resolution 63/241,[13] as well as the report of the Special Representative of the Secretary-General for Children and Armed Conflict,[14] whose recommendations should be carefully studied, taking fully into account the views of Member States, and taking note of the report of the Secretary-General on children and armed conflict,[15]

Acknowledging the important role played by national governmental structures for children, including, where existing, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Taking note with appreciation of the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, and relevant mandate holders and special procedures of the United Nations, as well as relevant regional organizations where appropriate, and intergovernmental organizations, and

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[3] A/CONF.157/24 (Part I), chap. III.

[4] See resolution 55/2.

[5] Resolution S-27/2, annex.

[6] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[7] See United Nations Educational, Scientific and Cultural Organization, *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (Paris, 2000).

[8] See resolution 2542 (XXIV).

[9] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

[10] Resolution 41/128, annex.

[11] See resolution 62/88.

[12] A/64/285.

[13] A/64/172.

[14] A/64/254.

[15] A/63/785-S/2009/158 and Corr.1.

recognizing the valuable role of civil society, including non-governmental organizations,

Profoundly concerned that the situation of children in many parts of the world has been negatively impacted by the world financial and economic crisis and reaffirming that eradicating poverty continues to be the greatest global challenge facing the world today, recognizing its impact beyond the socio-economic context,

Profoundly concerned also that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria and tuberculosis, environmental damage, natural disasters, armed conflict, foreign occupation, displacement, violence, terrorism, abuse, trafficking in children and their organs, all forms of exploitation, commercial sexual exploitation of children, child prostitution, child pornography and child sex tourism, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, disability and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Commemorates* the twentieth anniversary of the adoption of the Convention on the Rights of the Child[1] and the fiftieth anniversary of the adoption of the Declaration of the Rights of the Child,[16] which provided a foundation for the Convention, and takes this opportunity to call for the effective implementation of the Convention by all States parties to ensure that all children may fully enjoy all their human rights and fundamental freedoms;

2. *Reaffirms* paragraphs 1 to 8 of its resolution 63/241, and urges States that have not yet done so to become parties to the Convention on the Rights of the Child and the Optional Protocols thereto[2] as a matter of priority and to implement them fully;

3. *Calls upon* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[3]

4. *Encourages* States parties, in implementing the provisions of the Convention and the Optional Protocols thereto, to take duly into account the recommendations, observations and general comments of the Committee on the Rights of the Child, including, inter alia, general comment No. 12 (2009), "The right of the child to be heard";[17]

5. *Welcomes* actions of the Committee on the Rights of the Child to monitor the implementation by State parties of the Convention, and notes with appreciation its actions to follow up on its concluding observations and recommendations, and, in

[16] See resolution 1386 (XIV).
[17] CRC/C/GC/12, 20 July 2009.

this regard, particularly underlines the regional workshops and the participation of the Committee in national-level initiatives;

6. *Recalls* Human Rights Council resolution 10/14 of 26 March 2009, entitled "Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto";[18]

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

7. *Reaffirms* paragraphs 9 to 11 of its resolution 63/241, and calls upon States to ensure the enjoyment by children of all their civil, cultural, economic, political and social rights without discrimination of any kind;

Registration, family relations and adoption or other forms of alternative care

8. *Also reaffirms* paragraphs 12 to 16 of its resolution 63/241, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to protect children in matters relating to registration, family relations and adoption or other forms of alternative care, and, in the cases of international parental or familial child abduction, encourages States to facilitate, inter alia, the return of the child to the country in which he or she resided immediately before the removal or retention;

9. *Welcomes* the accomplishment of the Guidelines for the Alternative Care of Children and the decision of the Human Rights Council, by its resolution 11/7 of 17 June 2009,[19] to submit them to the General Assembly for action thereon;

Economic and social well-being of children, eradication of poverty, right to education, enjoyment of the highest attainable standard of physical and mental health and right to food

10. *Reaffirms* paragraphs 17 to 26 of General Assembly resolution 63/241, paragraphs 42 to 52 of Assembly resolution 61/146 on the theme of children and poverty, and paragraphs 37 to 42 of Assembly resolution 60/231 on the theme of children infected with and affected by HIV/AIDS, and calls upon all States and the international community to create an environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their previous commitments in the field of poverty eradication, the right to education, the right to the enjoyment of the highest attainable standard of physical and mental health, including efforts to address the situation of children living with or affected by HIV/AIDS and to eliminate mother-to-child transmission of HIV, the right to food for all and to an adequate standard of living, including housing and clothing;

11. *Recognizes* the threat to the achievement of the internationally agreed development goals, including the Millennium Development Goals, posed by the

[18] See *Official Records of the General Assembly, Sixty-fourth Session, Supplement No. 53* (A/64/53), chap. II.A.

[19] Ibid., chap. I.

global financial and economic crisis, which is connected to multiple, interrelated global crises and challenges, such as the food crisis and continuing food insecurity, volatile energy and commodity prices and climate change, and calls upon States to address, in their response to this crisis, any impact on the full enjoyment of the rights of children;

Elimination of violence against children

12. *Reaffirms* paragraphs 27 to 32 of its resolution 63/241 and paragraphs 47 to 62 of its resolution 62/141 on the theme of elimination of violence against children, condemns all forms of violence against children, and urges all States to implement the measures set out in paragraph 27 of its resolution 63/241;

13. *Welcomes* the appointment of the Special Representative of the Secretary-General on Violence against Children, and encourages all States, requests United Nations entities and agencies and invites regional organizations and civil society, including non-governmental organizations, to cooperate with and provide support, including financial support, to the Special Representative for the effective and independent performance of her mandate, as set out in General Assembly resolution 62/141, and in promoting the further implementation of the recommendations of the United Nations study on violence against children,[20] while promoting and ensuring country ownership and national plans and programmes in this regard, and calls upon States and institutions concerned and, invites the private sector, to provide voluntary contributions for that purpose;

Promoting and protecting the rights of children, including children in particularly difficult situations

14. *Reaffirms* paragraphs 34 to 42 of its resolution 63/241, and calls upon all States to promote and protect all human rights of all children in particularly difficult situations and to implement programmes and measures that provide them with special protection and assistance, including, inter alia, access to health care, education and social services, as well as, where appropriate and feasible, voluntary repatriation, reintegration, family tracing and family reunification, in particular for children who are unaccompanied, and to ensure that the best interests of the child are accorded a primary consideration;

Children alleged to have infringed or recognized as having infringed penal law and children of persons alleged to have infringed or recognized as having infringed penal law

15. *Also reaffirms* paragraphs 43 to 47 of its resolution 63/241, and calls upon all States to respect and protect the rights of children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law;

Prevention and eradication of the sale of children, child prostitution and child pornography

16. *Further reaffirms* paragraphs 48 to 50 of its resolution 63/241, and calls upon all States to prevent, criminalize, prosecute and punish all forms of sale of

[20] See A/61/299 and A/62/209.

children, including for the purposes of transfer of organs of the child for profit, child slavery, commercial sexual exploitation of children, child prostitution and child pornography, with the aim of the eradication of those practices, and the use of the Internet and other information and communications technologies for these purposes, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as to address the needs of victims effectively and take effective measures against the criminalization of children who are victims of exploitation;

17. *Welcomes* the World Congress III against the Sexual Exploitation of Children and Adolescents, held in Rio de Janeiro, in November 2008, and the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents;

18. *Calls upon* all States to enact and enforce necessary legislative or other measures in cooperation with relevant stakeholders to prevent the distribution over the Internet of child pornography and including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable reporting and removal of such material and that its creators, distributors and collectors are prosecuted as appropriate;

Children affected by armed conflict

19. *Reaffirms* paragraphs 51 to 63 of its resolution 63/241, and condemns in the strongest terms all violations and abuses committed against children affected by armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, including humanitarian law, in recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end them, and urges all States, United Nations agencies, funds and programmes, other relevant international and regional organizations and civil society to continue to give serious attention to, and to protect and assist child victims of, all violations and abuses committed against children in situations of armed conflict, in accordance with international humanitarian law, including the First to Fourth Geneva Conventions;[21]

20. *Also reaffirms* the essential roles of the General Assembly, the Economic and Social Council and the Human Rights Council for the promotion and protection of the rights and welfare of children, including children affected by armed conflict, notes the increasing role played by the Security Council in ensuring protection for children affected by armed conflict, and notes also the activities undertaken by the Peacebuilding Commission, within its mandate, in areas that promote and contribute to the enjoyment of the rights and welfare of children;

21. *Notes with appreciation* the steps taken regarding Security Council resolutions 1539 (2004) of 22 April 2004 and 1612 (2005) of 26 July 2005 and the adoption of Security Council resolution 1882 (2009) on 4 August 2009 and the efforts of the Secretary-General to implement the monitoring and reporting mechanism on children and armed conflict in accordance with these resolutions, with the participation of and in cooperation with national Governments and relevant

[21] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

United Nations and civil society actors, including at the country level, and requests the Secretary-General to ensure that information collected and communicated by the monitoring and reporting mechanism is accurate, objective, reliable and verifiable, and in this regard encourages the work and deployment, as appropriate, of United Nations child protection advisers in peacekeeping operations and political and peacebuilding missions;

Child labour

22. *Reaffirms* paragraphs 64 to 80 of its resolution 63/241, on the theme of child labour,[22] and calls upon all States to translate into concrete action their commitment to the progressive and effective elimination of child labour that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development and to eliminate immediately the worst forms of child labour;

23. *Takes note with appreciation* of the United Nations Educational, Scientific and Cultural Organization *Education for All Global Monitoring Report* of 2009, which emphasizes the need to increase the quality of education as a way to attract and keep children in school as a tool in the prevention and elimination of child labour, and calls upon all States to take fully into account the report of the International Labour Organization entitled "The end of child labour: within reach" and the global action plan endorsed by the Governing Body of the International Labour Organization in 2006 in their national efforts to tackle child labour and to monitor progress towards meeting the target of eliminating the worst forms of child labour by 2016;

III

The right of the child to express his or her views freely in all matters affecting him or her

24. *Recognizes* that the child who is capable of forming his or her own views should be assured the right to express those views freely in all matters affecting him or her, the views of the child being given due weight in accordance with his or her age and maturity, referred to in the present resolution as "the right to be heard";[23]

25. *Reaffirms* that the general principle of participation forms part of the framework for the interpretation and implementation of all other rights incorporated in the Convention on the Rights of the Child;

26. *Recognizes* that, in the exercise by the child of his or her right to be heard, States shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community, as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the age, maturity and evolving capacities of the child, appropriate direction and guidance;

27. *Reaffirms* the international agreement on the 2015 target date for achieving universal primary education in all countries, emphasizes, in recognizing

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[22] As defined by the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization.

[23] As used in the present resolution "the right to be heard" refers to the right laid down in article 12.1 of the Convention on the Rights of the Child.

the impact and inter-linkage of poverty and education on the full enjoyment by children of the right to be heard and to participate, that literacy and universal access to free and compulsory primary education of a good quality for all children is a key element in promoting the right of the child to be heard, and encourages international cooperation in this regard, including regional cooperation as well as South-South cooperation;

28. *Recognizes* that the free engagement of children in extracurricular activities, such as cultural, artistic, recreational, leisure, ecological and sports activities at the local and national levels, could develop the ability of children to express their views;

29. *Also recognizes* the key role that can be played by educational institutions and community-based organizations and projects, as well as by different local and national institutions, such as children's organizations and parliaments, in assuring the meaningful participation of children, and in this regard encourages States to ensure the institutionalization of children's participation and encourage the active consultation of children and the consideration of their views in all matters affecting them, in accordance with their age and maturity and evolving capacities;

30. *Further recognizes* the role that can be played by the private sector, including the media, in promoting the participation and active consultation of children in issues affecting them, and stresses the importance of these actors taking into account the best interests of the child;

31. *Expresses deep concern* that, despite the recognition of children as rights holders entitled to be heard on all matters affecting them, children are seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right in many parts of the world has yet to be fully realized;

32. *Recognizes* that the full enjoyment of the right of the child to be heard and to participate requires adults to adopt an appropriate child-centred attitude, listening to children and respecting their rights and individual points of view;

33. *Calls upon* all States to:

(a) Assure that children are given the opportunity to be heard on all matters affecting them, without discrimination on any grounds, by adopting and/or continuing to implement regulations and arrangements that provide for and encourage, as appropriate, children's participation in all settings, including within the family, in school and in their communities, and that are firmly anchored in laws and institutional codes and that are regularly evaluated with regard to their effectiveness;

(b) Designate, establish or strengthen relevant governmental structures for children, including, where appropriate, ministers in charge of child issues and independent ombudspersons for children, have mechanisms in place for allowing and promoting the involvement and participation of children in the formulation and implementation of public policies, in particular those designed to meet national children and adolescent goals and targets, and ensure adequate and systematic training in the rights of the child for professional groups working with and for children;

(e) Involve children, as appropriate, in the planning, design, implementation and evaluation of the national plans of action set out in "A world fit for children" that relate to the rights of the child, in recognition of the role of the child as a core stakeholder in the process;

(d) Develop policies and effective mechanisms at the local and national levels to enable children to be heard and participate safely and meaningfully in the monitoring and reporting processes related to the implementation of the Convention on the Rights of the Child;

(e) Provide support to children and adolescents to enable them to form and register their own associations and other child- and adolescent-led initiatives, in conformity with national and international law;

(f) Ensure that funding for child participation is considered in resource allocation and that policies and programmes to facilitate children's participation are institutionalized and fully implemented;

(g) Ensure the equal participation of girls, including adolescents, on the basis of non-discrimination and in partnership with boys, including adolescents, in the development of strategies and implementation of action aimed at achieving gender equality, development, non-violence and peace;

(h) Support the integration, in a systematic manner, of children's participation and their safe and meaningful involvement in United Nations activities and processes that are related to the promotion and protection of the rights of the child;

(i) Support children's participation in initiatives to prevent and respond to violence against children, including in the work of the Special Representative of the Secretary-General on Violence against Children;

(j) Take measures to support the participation of children in the design and implementation of preventive and comprehensive anti-bullying policies;

(k) Address all the root causes impeding children from exercising their right to be heard and to be consulted on matters affecting them; inform children, parents, guardians, other caregivers and the general public about the rights of the child; and raise awareness of the importance and benefits of child participation in society, including through partnerships with civil society, the private sector and the media while being attentive to their influence on children;

(l) Take appropriate measures to ensure the full realization of the right to education on the basis of equal opportunity for every child, including by providing accessible, free and compulsory primary education directed to the development of the child's personality, talents and abilities to their fullest potential, in recognition of the importance of education to civic engagement by children and to their full enjoyment of the right to be heard and to participate in all matters affecting them;

(m) Develop and implement policies and programmes to promote the creation by public authorities, parents, guardians, other caregivers and other adults working with or for children of a safe and enabling environment based on trust, information-sharing, the capacity to listen and sound guidance that is conducive to the informed and voluntary participation of children, including in decision-making processes.

(n) Take all appropriate measures to promote the active involvement of parents, professionals and relevant authorities in the creation of opportunities for children to exercise their rights to be heard within their everyday activities in all relevant settings, including by providing training in the necessary skills;

(o) Provide support to girls, including adolescents, if needed, to voice their views and for their views to be given due weight, and adopt measures to eliminate gender stereotypes that undermine and place severe limitations on girls in the enjoyment of their right to be heard;

(p) Ensure that child-sensitive procedures are made available to children and their representatives so that children have access to means of facilitating effective remedies for any breaches of any of their rights arising from the Convention on the Rights of the Child through independent advice, advocacy and complaint procedures, including justice mechanisms, and that their views are heard when they are involved or their interests are concerned in judicial or administrative procedures in a manner consistent with the procedural rules of national law;

(q) Ensure that, while taking the necessary measures to prevent and punish the wrongful removal of children who are subjected to enforced disappearance, of children whose father, mother or legal guardian is subjected to enforced disappearance or of children born during the captivity of a mother subjected to enforced disappearance, in accordance with legal procedures and applicable international agreements, the right of the child to be heard is respected and that the best interests of the child shall be a primary consideration;

(r) Encourage and enable children affected by natural and man-made disasters and complex emergencies, in particular adolescents, to participate in analysing their situations and future prospects in crisis, post-crisis and transition processes, while ensuring that such participation is in accordance with their age, maturity and evolving capacities and is consistent with the best interests of the child and recognizing that appropriate care needs to be taken to protect children from exposure to situations that are likely to be traumatic or harmful;

(s) Take measures to ensure the enjoyment of the right to be heard by children belonging to minorities and/or vulnerable groups, including migrant children and indigenous children within their cultural values or ethnic identities;

(t) Adopt measures, including providing or promoting the use of accessible means, modes and formats of communication, to facilitate the enjoyment of the right to be heard by children with disabilities;

IV
Follow-up

34. *Decides* to:

(a) Request the Secretary-General to submit to the General Assembly at its sixty-fifth session a comprehensive report on the rights of the child containing information on the status of the Convention on the Rights of the Child and the issues addressed in the present resolution, with a focus on implementing child rights in early childhood;

(b) Request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the

Human Rights Council on the activities undertaken in discharging her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) Request the Special Representative of the Secretary-General on Violence against Children to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(d) Request the Special Rapporteur on the sale of children, child prostitution and child pornography to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the discharge of her mandate;

(e) Invite the Chairperson of the Committee on the Rights of the Child to present an oral report on the work of the Committee to the General Assembly at its sixty-fifth session as a way to enhance communication between the Assembly and the Committee;

(f) Invite all Member States, organizations of the United Nations system, non-governmental organizations and individuals to observe the twentieth anniversary of the adoption of the Convention on the Rights of the Child;

(g) Continue its consideration of the question at its sixty-fifth session under the item entitled "Promotion and protection of the rights of children", focusing section III of the resolution on the rights of the child on implementing child rights in early childhood.

United Nations A/C.3/64/L.22

General Assembly

Distr.: Limited
20 October 2009

Original: English

Sixty-fourth session
Third Committee
Agenda item 69 (a)
Promotion and protection of human rights: implementation of human rights instruments

Argentina, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Chile, Czech Republic, Denmark, Estonia, Finland, France, Germany, Guatemala, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Mexico, Panama, Netherlands, Norway, Portugal, Romania, Slovakia, Slovenia, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland and Uruguay: draft resolution

International Covenants on Human Rights

The General Assembly,

Recalling its resolution 62/147 of 18 December 2007 and Commission on Human Rights resolution 2004/69 of 21 April 2004,[1]

Mindful that the International Covenants on Human Rights[2] constitute the first all-embracing and legally binding international treaties in the field of human rights and, together with the Universal Declaration of Human Rights,[3] form the core of the International Bill of Human Rights,

Recalling the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] and reaffirming that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated, that they should be treated in a fair and equal manner, on the same footing and with the same emphasis, and that the promotion and protection of one category of rights should never exempt or excuse States from the promotion and protection of the other rights,

Recalling also the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by the General Assembly on the occasion of the sixtieth anniversary of the Universal Declaration of Human Rights,

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[1] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[2] Resolution 2200 A (XXI), annex.

[3] Resolution 217 A (III).

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Please recycle

Recognizing the important role of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in examining the progress made by States parties in fulfilling the obligations undertaken in the International Covenants on Human Rights and their Optional Protocols and in providing recommendations to States parties on their implementation,

Considering that the effective functioning of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights is indispensable for the full and effective implementation of the International Covenants on Human Rights,

Recognizing the importance of regional human rights instruments and monitoring mechanisms in complementing the universal system of promotion and protection of human rights,

1. *Reaffirms* the importance of the International Covenants on Human Rights[2] as major components of international efforts to promote universal respect for and observance of human rights and fundamental freedoms;

2. *Strongly appeals* to all States that have not yet done so to become parties to the International Covenant on Economic, Social and Cultural Rights[2] and the International Covenant on Civil and Political Rights,[2] and to consider acceding to their Optional Protocols and making the declarations provided for in article 41 of the International Covenant on Civil and Political Rights and in articles 10 and 11 of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and, while acknowledging that additional States have recently become parties to these instruments, requests the Secretary-General to continue to support the annual treaty event to this end;

3. *Acknowledges* the ceremony of opening for signature of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights on 24 September 2009 during the 2009 Treaty event and the signatures deposited in the event, with a view to its early entry into force;

4. *Invites* the United Nations High Commissioner for Human Rights to intensify systematic efforts to encourage States to become parties to the International Covenants on Human Rights and, through the programme of advisory services in the field of human rights, to assist such States, at their request, in ratifying or acceding to the Covenants and to the Optional Protocols to them with a view to achieving universal adherence;

5. *Calls for* the strictest compliance by States parties with their obligations under the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights and, where applicable, the Optional Protocols to them;

6. *Emphasizes* that States must ensure that any measure to combat terrorism complies with their obligations under relevant international law, including their obligations under the International Covenants on Human Rights, and welcomes the reports submitted by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism;[4]

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[4] See A/63/223 and A/64/211; A/HRC/6/17 and Add.1-4 and Add.4/Corr.1; and A/HRC/10/3 and Add.1 and 2.

7. *Stresses* the importance of avoiding the erosion of human rights by derogation, and recalls that certain rights are recognized as non-derogable in any circumstances, underlines the exceptional and temporary nature of any such derogations, and that they must be in accordance with the conditions and procedures stipulated under article 4 of the International Covenant on Civil and Political Rights, bearing in mind the need for States parties to provide the fullest possible information during states of emergency so that the justification for the appropriateness of measures taken in those circumstances can be assessed, and in this regard takes note of General Comment No. 29 adopted by the Human Rights Committee;[5]

8. *Encourages* States parties to consider limiting the extent of any reservations that they lodge to the International Covenants on Human Rights and their Optional Protocols, to formulate any reservations as precisely and narrowly as possible and to regularly review such reservations with a view to withdrawing them so as to ensure that no reservation is incompatible with the object and purpose of the relevant treaty;

9. *Welcomes* the annual reports of the Human Rights Committee submitted to the General Assembly at its sixty-third[6] and sixty-fourth[7] sessions, and takes note of the General Comments adopted by the Committee, including the most recent, General Comment No. 33 on the obligations of States parties under the Optional Protocol;[8]

10. *Also welcomes* the reports of the Committee on Economic, Social and Cultural Rights on its thirty-eighth and thirty-ninth sessions[9] and on its fortieth and forty-first sessions,[10] and takes note of the General Comments adopted by the Committee, including the most recent, General Comment No. 19 on the right to social security,[11] and General Comment No. 20 on non-discrimination in economic, social and cultural rights;[12]

11. *Expresses regret* at the number of States parties that have failed to fulfil their reporting obligations under the International Covenants on Human Rights, urges States parties to fulfil their reporting obligations on time, invites them to make use of the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents,[13] when submitting reports, and urges States to attend and participate in the consideration of the reports by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights when so requested;

12. *Urges* States parties to make use in their reports of sex-disaggregated data, and stresses the importance of integrating a gender perspective in the

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[5] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 40* (A/56/40), vol. I, annex VI.

[6] Ibid., *Sixty-third Session, Supplement No. 40* (A/63/40), vols. I and II.

[7] Ibid., *Sixty-fourth Session, Supplement No. 40* (A/64/40), vols. I and II.

[8] Ibid., vol. I.

[9] *Official Records of the Economic and Social Council, 2008, Supplement No. 2* (E/2008/22).

[10] Ibid., *2009, Supplement No. 2* (E/2009/22).

[11] Ibid., *2008, Supplement No. 2* (E/2008/22).

[12] E/C.12/GC/20.

[13] HRI/GEN/2/Rev.5; *Official Records of the Economic and Social Council, 2009, Supplement No. 2* (E/2009/22), annex VIII.

implementation of the International Covenants on Human Rights at the national level, including in the national reports of States parties and in the work of the Human Rights Committee and the Committee on Economic, Social and Cultural Rights;

13. *Strongly encourages* States parties that have not yet submitted core documents to the Office of the United Nations High Commissioner for Human Rights to do so, invites them to make use of the harmonized guidelines on reporting, and also invites all States parties regularly to review and update their core documents while bearing in mind the current discussion on the elaboration of an expanded core document;

14. *Urges* States parties to take duly into account, in implementing the provisions of the International Covenants on Human Rights, the recommendations and observations made during the consideration of their reports by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, and the views adopted by the Human Rights Committee under the first Optional Protocol to the International Covenant on Civil and Political Rights[2] and the Committee on Economic, Social and Cultural Rights under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights following its entry into force;

15. *Welcomes*, in this regard, measures taken by both Committees to follow up their concluding observations, including the adoption by the Human Rights Committee of a set of proposals to strengthen its follow-up procedure;[14]

16. *Urges* all States to publish the texts of the International Covenants on Human Rights and their Optional Protocols in as many local languages as possible and to distribute them and make them known as widely as possible to all individuals within their territory and subject to their jurisdiction;

17. *Urges* each State party to give particular attention to the dissemination at the national level of their reports submitted to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights and, further, to translate, publish and make available as widely as possible to all individuals within its territory and subject to its jurisdiction by appropriate means the full text of the recommendations and observations made by the Committees after the examination of those reports;

18. *Reiterates* that States parties should take into account, in their nomination of members to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, that the Committees shall be composed of persons of high moral character and recognized competence in the field of human rights, consideration being given to the usefulness of the participation of some persons having legal experience, and to equal representation of women and men, and that members serve in their personal capacity, and also reiterates that, in the elections of the Committees, consideration shall be given to equitable geographical distribution of membership and to the representation of the different forms of civilization and of the principal legal systems;

19. *Invites* the Human Rights Committee and the Committee on Economic, Social and Cultural Rights, when considering the reports of States parties, to

[14] CCPR/C/95/3.

continue to identify specific needs that might be addressed by United Nations departments, funds and programmes and the specialized agencies, including through the programme of advisory services and technical cooperation of the Office of the United Nations High Commissioner for Human Rights;

20. *Stresses* the need for improved coordination among relevant United Nations mechanisms and bodies in supporting States parties, upon their request, in implementing the International Covenants on Human Rights and their Optional Protocols, and encourages continued efforts in this direction;

21. *Expresses its appreciation* for the efforts made so far by the Human Rights Committee and the Committee on Economic, Social and Cultural Rights to improve the efficiency of their working methods, encourages the Committees to pursue their efforts, welcomes in this regard the meetings held by the Committees and States parties to exchange ideas on how to render the working methods of the Committees more efficient, and encourages all States parties to continue to contribute to the dialogue with practical and concrete proposals and ideas on ways to improve the effective functioning of the Committees;

22. *Encourages* the specialized agencies that have not yet done so to submit their reports on the progress made in achieving the observance of the provisions of the International Covenant on Economic, Social and Cultural Rights, in accordance with article 18 of the Covenant, and expresses its appreciation to those that have done so;

23. *Encourages* the Secretary-General to continue to assist States parties to the International Covenants on Human Rights in the timely preparation of their reports, including by convening seminars or workshops at the national level for the training of government officials engaged in the preparation of such reports and by exploring other possibilities at the request of States, such as the programme of advisory services and technical cooperation in the field of human rights;

24. *Requests* the Secretary-General to ensure that the Office of the United Nations High Commissioner for Human Rights effectively assists the Human Rights Committee and the Committee on Economic, Social and Cultural Rights in the implementation of their respective mandates by providing, inter alia, adequate Secretariat staff resources and conference and other relevant support services;

25. *Also requests* the Secretary-General to keep the General Assembly informed of the status of the International Covenants on Human Rights and their Optional Protocols, including all reservations and declarations, through the United Nations websites.